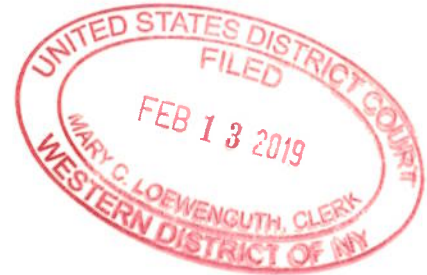


IN THE UNITED STATES DISTRICT COURT  
FOR THE  
WESTERN DISTRICT OF NEW YORK



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CHAD MARKS

PETITIONER,

vs.

CASE NO: 03-CR-6033L

UNITED STATES OF AMERICA

RESPONDENT,

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\* \* \* \* \*

CHAD MARKS PRO SE MOTION REQUESTING THE COURT, WITH THE CONSENT OF THE GOVERNMENT, REDUCE HIS SENTENCE TO A MORE FAIR AND JUST SENTENCE PURSUANT TO THE HOLLOWAY DOCTRINE AND IN LINE WITH **THE FIRST STEP ACT'S** INTENTION WITH THE CLARIFICATION OF 18 U.S.C § 924(c)'S STACKING PROVISIONS. MARKS ALSO REQUESTS THAT THIS COURT REDUCE HIS SENTENCE TO 5 YEARS BASED ON **THE FIRST STEP ACT** AS TO COUNTS 1, 7, 9, 11, 13 AND 15.

\* \* \* \* \*

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President Abraham Lincoln once said, "I have always found that mercy bears richer fruits than strict justice."

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### **SUMMARY OF MOTION**

In 2014 United States District Court Judge J. Gleeson of the Eastern District of New York, himself a former Federal prosecutor, saw the opportunity to mitigate the effects of what with the benefit of hindsight, was an unduly harsh sentence, and sought and ultimately received the consent of then U.S. Attorney (and former Attorney General) Loretta Lynch to the vacation of certain convictions entered in the case of Francois Holloway thus, creating the Holloway Doctrine. See **UNITED STATES V. HOLLOWAY**, 68 F. Supp. 3d 310 (E.D.N.Y. 2014).<sup>1</sup>

The Holloway Doctrine recognizes that district courts have the discretion, inherent in our American system of justice, to subsequently reduce a defendants sentence in the interest of fairness "even after all appeals and collateral attacks have been exhausted, and there is neither a claim of innocence nor any defect in the "conviction or sentence" when it has clearly been demonstrated that the original sentence sought by the United States and imposed by the court (even when mandated by law) is revealed to be disproportionately severe.

In Marks case, the court originally imposed a sentence of 480 months, (40 years). Marks, if released under this sentence will be sixty (60) years old, after having spent nearly 36 years in prison. This would result in Marks spending essentially more than half of his life in prison. He was arrested at the age of 24, and at that time of his release, he would be 60 years old. After 36 years in prison, it would be exceptionally difficult, if not impossible, for Marks to achieve any sort of social integration or employment.

During the past 16 years, despite the fact that he had very little realistic hope of being released at an age where he could do something meaningful with his life, has been an exemplary inmate. That is not to say that there have not been some bumps in the road. Marks has had (1) disciplinary report in almost 9 years. He has worked his way down from a maximum security prison, to a medium security prison, and is now being housed at a low security prison. As will be shown, Marks has accomplished many great things in prison, which are the biggest indicators that he is no longer a threat to public

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<sup>1</sup> For the courts convenience, the **Holloway** decision is attached hereto as Exhibit A.

safety, and that he is deserving of the U.S. Attorneys Office and this Courts mercy for a second chance to reclaim his life. Thus, he respectfully requests this Court to follow the **Holloway** doctrine and Judge Gleeson's lead, by requesting the Government to reopen Marks case, and allow this Court to resentence Marks to a term of imprisonment that is both just and fair.

#### **FACTUAL BACKGROUND**

Mr. Marks no longer contests his guilt, and takes full responsibility for his criminal behavior that occurred nearly 16 years ago. Mr. Marks deeply regrets his involvement in a conspiracy to distribute narcotics. He also regrets that this case went to trial, and was not solved with a plea. Marks behavior and significant positive behavior during the past 16 years he has spent in prison show that he is no longer the same person who made these terrible decisions that lead to the current 40 year sentence. Marks conduct and rehabilitative efforts merit a second chance to show that he is, and can be, a law abiding citizen.

Mr. Marks has a close knit family who love and care for him deeply (as this court has witnessed the overwhelming support during all court proceedings). Mr. Marks was primarily raised by a single mother, his Father Charles Marks, left the home when Chad was (3) three years old. Charles was violent towards his mother Patricia as well as Chad, which led to the desolation of his parent's marriage. Charles became a drug addict and was absent from Chad's life. The family lived in poverty with a single mother. Chad was raised on the West-Side of the city (Rochester) with his sister Monique by their mother. Chad was actively involved in sports as the Captain of his Wrestling team and a very accomplished amateur Boxer at St. Martins Boxing Club. At the age of 14, Chad's life took a turn for the worst when his role model and older brother committed suicide. At that point, Boxing and Wrestling were no longer important to him. This was the turning point for Mr. Marks and his onslaught of trouble began. It was not long before he fell into the wrong crowd and began a journey that would eventually lead to his current 480 month prison sentence.

**A. THE HOLLOWAY DOCTRINE PERMITS COURTS TO REDUCE  
DISPROPORTIONATELY SEVERE SENTENCES.**

In 1995, Francois Holloway then age 38 was convicted of carjacking three cars at gunpoint. **HOLLOWAY**, Supra @312. He was sentenced to a mandatory 57 years in prison by Judge Gleeson, based on the requirement that each count be stacked and served consecutively. Id. @312-13. Eighteen years later, in February 2013, Judge Gleeson asked then U.S. Attorney Lynch to agree to an order vacating two or more of Holloways convictions, thereby making him immediately eligible for release. Id. @314. As Judge Gleeson noted, "Holloway would likely have faired better if he had committed murder. The average sentence in Federal Court for murder in fiscal year 2013, was 268 months; the median sentence was 240 months. If Holloway had gotten 268 months, he'd already be out of prison." Id. @313. Additionally, Judge Gleeson observed that Holloway had bettered himself in prison, and had only incurred five minor disciplinary infractions during his almost twenty years in prison.<sup>2</sup>

U.S. Attorney Lynch initially rejected Judge Glesson's request on the basis that Holloway should apply for commutation of his sentence. **HOLLOWAY** @314. After a new clemency initiative made clear that it was unlikely Holloway would ever receive a commutation from the President because of the violent nature of his crimes, Judge Gleeson asked U.S. Attorney Lynch to reconsider his request. Id. Upon reconsideration, U.S. Attorney Lynch agreed to the dismissal of two counts of Holloway's conviction, ultimately resulting in Holloway's release from prison. Id. @315. Judge Gleeson stated in his July 2014 decision granting the motion to dismiss:

"This is a significant case, and not just for Francois Holloway. It demonstrates the difference between a Department of Prosecutions and a Department of Justice. It shows how the Department of Justice, as the governments' representative in every Federal criminal case, has the power to walk into courtrooms and ask Judges to remedy Injustices."

The use of this power poses no threat to the rule of finality, which serves important purposes in our system of justice. There are no floodgates to worry about; the authority exercised in this case will be used only as often as the Department of Justice itself chooses to exercise it, which will no doubt be sparingly. But the misuse of prosecutorial power over the last 25 years has resulted in a significant number of Federal inmates who are serving grotesquely severe sentences, including many serving

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<sup>2</sup> Notably, Judge Gleeson could hardly be described as "soft on crime." Before becoming a District Court Judge, Gleeson served as an A.U.S.A. and successfully prosecuted many organized crime figures including John Gotti.



multiple decades and even life without parole for narcotics offenses that involved no physical injury to others. Even seasoned Federal prosecutors will agree that many of those sentences were (and remain) unjustly severe. The United States Attorney has shown here that justice is possible in those cases. A prosecutor who says nothing can be done about an unjust sentence because all appeals and collateral challenges have been exhausted is actually to do nothing about the unjust sentence. Some will make a different choice, as Ms. Lynch did here. Absent this Court's request to the U.S. Attorney for the Western District of New York, Marks may very well spend the rest of his life in prison.

**B. IS MR. MARKS 40 YEAR SENTENCE UNJUST IN THIS CASE?**

Here, the record clearly answers this question. At the beginning of this case, the government, through A.U.S.A. Kelly, offered 3-4 plea agreements, one of which could have resulted in a 10 year term. Once A.U.S.A. Rodriguez took over the case, he made clear he made an offer of 20 years imprisonment, and then at the start of trial a 27 year offer was made. Mr. Marks was eventually sentenced to a 40 year term. The question then is if 10 years as a possible sentence was sufficient to achieve the goals of sentencing, then how could a 40 year sentence ever be just, or fair. The words of President Lincoln echo throughout this case.

We must also look at the sentences of the co-defendants who were charged with the same crimes as Mr. Marks. It must also be remembered that they each had prior drug convictions that subjected them to mandatory minimums of 50 years.

- A. Richard Ross was sentenced to a term of 78 months.
- B. Tommy Hardy was sentenced to a term of 151 months. Mr. Hardy during the Marks trial testified that he beat people, and he pistol whipped people.
- C. Nathan Brown the supplier in this case was sentenced to 181 months of imprisonment.

Adding each of these co-defendants sentences together do not equal the sentence of 480 months handed down to Mr. Marks. All of the co-defendants have since been released from prison. Marks accepts responsibility for his actions, and acknowledges that he deserved to go to prison. However, he

submits that a 40 year term of imprisonment is unnecessary in this case in many respects, and also an unnecessary burden on Federal tax payers.

In 2014, Congress established and provided the funding for the Charles Colson Task Force on Federal Corrections. The Task Force did a comprehensive investigation into the challenges facing the Federal criminal justice system. In January 2016, the Task Force released their report.

The Task Force issued a very intelligent and important recommendation that seems to be in line with the *Holloway Doctrine*. The Task Force recommended that Congress establish a second look provision that would permit anyone who has served more than 15 years, to apply for resentencing before a judicial decision maker. The Task Force has concluded that the long sentences are common in the Federal system, coupled with limited options for review, have resulted in lengths of stay that are frequently unjustifiable under the current circumstances. Moreover, they found these inflexibly lengthy sentences diminish hope for the future, and remove any incentive for people in prison to transform their lives.

Task Force members have observed that a person can change after 10 or 20 years in prison. Many people in prison take advantage of programming and other resources to address the root causes of their criminal offending. The Task Force heard several compelling stories illustrating such personal transformation, yet many people who underwent this change were required to remain in prison for years or decades longer than necessary.

The recommendation was "that at least one Judge in each Circuit be designated to hear petitions for review. Following an initial judicial gatekeeper review to ensure that petitioner has followed prison rules and regulations, participated in programming, complied with his or her case plan, and is not an obvious threat to public safety, the case would move on to a full judicial review. The legal standard for a second look would be a full resentencing. This process would not serve to review the original sentencing for error. Instead, its intent would be to assess whether, in light of current circumstances, the purposes of sentencing as outlined in 18 U.S.C. §3553(a) would be better served by modifying the sentence. Factors to consider would also include whether the individual had demonstrated positive change while in prison, whether the release of the individual would pose too

great a risk to public safety, and how societal norms concerning the underlying offense have changed with time.

Here, Mr. Marks is asking for this opportunity under the ***Holloway Doctrine*** - an opportunity to simply show the court as well as the U.S Attorney's Office that he is a changed man, and no longer a threat to public safety. That his 40 year prison sentence demonstrates an unwarranted disparity among co-defendants, as well as longer-than necessary to achieve the goals of sentencing.

Some people do change and deserve a second chance to reclaim their lives, Marks submits to Judge Larimer, and U.S. Attorney James P. Kennedy, Jr., that he is one of those people.

**D. MR. MARKS IS DESERVING OF THIS COURTS MERCY AS WELL AS THE U.S. ATTORNEYS OFFICE, IN REDUCING HIS SENTENCE UNDER THE HOLLOWAY DOCTRINE.**

Mr. Marks can show that he is just as deserving of the benefit of the ***Holloway Doctrine*** as Francois Holloway. On February 4, 2019, Marks will have been in prison for 16 years. In the last 9 years, he has incurred only one incident report. As a result of his good behavior and involvement in rehabilitative programming, he has earned his way to a medium security prison, and now a low security prison. Second, Mr. Marks has completed numerous federally approved programs targeting rehabilitation. Mr. Marks has earned a College degree and has completed over 90 rehabilitative programs including: employment offender training, leadership training, banking classes, and numerous re-entry programs (EXHIBIT B). Mr. Marks was chosen as one of twenty inmates out of 900 total inmates to attend the Wardens Business Ownership Class taught by Warden Langford. Mr. Marks has also completed three different Alternatives to Violence Project (A.V.P.) seminars, and is now an Alternative to Violence Project facilitator. See (EXHIBIT C). One of the most important things Mr. Marks has done in prison is he became a G.E.D. teacher, and in a 90 day period, helped 12 other inmates earn their G.E.D.'s. In fact, his prison employee supervisor wrote, "As inmate Marks supervisor, I am satisfied with his job performance as it is above that of his peers. Inmate Marks responds well to supervision and instruction, completes tasks without being asked, takes initiative in motivating inmates to obtain their G.E.D. and has an outstanding overall job proficiency." Mr. Marks is now employed as the Captain and

Lieutenants orderly -- a job only given to inmates who are trustworthy and has received good job reviews. See EXHIBIT D.

Mr. Marks did something else that is worth noting for the Court, he became part of the Ray Brook Suicide Prevention team. He has completed his training in this regard, and provides assistance to those in need. See EXHIBIT E.

Mr. Marks has not only completed programs but has created his own programs and curriculums to assist others. One of those programs was a re-entry based program named RISE. Recognizing the rising juvenile delinquency and misguided youth epidemic in Rochester, he has created the STEM (Stimulate, Train, Educate, Mentor) program as well as an Incarceration Prevention Class Curriculum, to help provide training, technical assistance and programs to assist State, Federal, and local Law Enforcement Authorities in high-crime areas in combating crime, crime prevention, with a particular emphasis on violent crime and juvenile delinquency. Mr. Marks realizes that he owes a bigger debt to society and to his community than just being in prison. He has pitched these programs to Rochester Mayor Lovely Warren, and the Rochester City School District, and the juvenile probation department, (EXHIBIT F). These programs aim to prevent crime and reduce the fear of crime through organized collective citizen action. If released, Mr. Marks has a 12 month plan to implement Incarceration Prevention classes throughout the City of Rochester while working for S.A.V.E.

**E. MR. MARKS SENTENCE IS DISPROPORTIONATELY SEVERE COMPARED TO SENTENCES IMPOSED ON LEADERS OF MAJOR DRUG TRAFFICKING ORGANIZATIONS, AS WELL AS CO-DEFENDANTS.**

There is no doubt, nor any dispute that Mr. Marks committed serious crimes and deserved a substantial prison sentence. However, in retrospect, it is clear that the punishment presently imposed upon him "480 months," is disproportionately severe compared to the sentences of co-defendants and major drug trafficking organizations.

As previously stated, Richard Ross was sentenced to 78 months, Tommy Hardy 151 months, and Nathan Brown 181 months. Mr. Marks is the only person still incarcerated. Additionally, the following examples illustrate the above mentioned argument:

1. The Arellano-Felix drug Organization (AFO) was "once among the worlds most violent and powerful multi-national drug trafficking organizations." See, "LAST OF ARELLANO-FELIX BROTHERS SENTENCED." (Aug. 19, 2013) available @ <http://www.cbs8.com/story/23170978/last-of-arellano-felix-brothers-sentenced-to-15-years-in-federal-prison>. The AFO was responsible for moving hundreds of tons of cocaine and marijuana from Mexico and Columbia into the United States. Id. The organization terrorized the South West United States borders with executions, torture, beheadings, kidnappings and bribes to law enforcement. Id. In 2013, Eduardo Arellano-Felix, who acted as the chief financial officer of the organization, was sentenced to 15 years. He was incarcerated at F.C.I. Ray Brook with Mr. Marks. Id. His brother Benjamin, also an organization leader, was previously sentenced to 25 years in Federal prison. The third brother and primary leader of the organization Javier, was sentenced to life in prison.
2. Osiel Cardenas-Guillen was the former head of the Gulf Cartel. The Gulf Cartel was responsible for importing thousands of kilograms of cocaine into the United States from Mexico and using violence and intimidation to further the goals of the criminal enterprise. In 2010, Cardenas-Guillen was sentenced to 25 years in federal prison. See "OSIEL CARDENAS-GUILLEN FORMER HEAD OF THE GULF CARTEL, SENTENCED TO 25 YEARS IMPRISONMENT." (Feb. 24, 2010) available at <https://archives.fbi.gov/archives/houston/press-releases/2010/ho022410b.htm>.
3. George Jung was responsible for 85% of the cocaine smuggled into the United States in the 1970's and 1980's and was released from Federal prison in 2014 after serving approximately 20 years. See CBS "NOTORIOUS EX-COCAINE KINGPIN GEORGE JUNG OUT OF PRISON, LIVING IN SAN FRANCISCO" (June 3, 2014) available at <https://sanfrancisco.cbslocal.com/2014/06/03/notorious-ex-cocaine-kingpin-george-jung-out-of-prison-living-in-san-francisco/>.
4. Finally, Griselda Blanco, known as the cocaine Godmother and the Queen of cocaine, was a drug lord of the Medellin cartel, and a pioneer in the Miami-based cocaine drug trade and the underworld during the 1970's and early 1980's. She was the suspect of over 200 murders and was sentenced to 15 years in Federal prison. See "GRISELDA BLANCO BIOGRAPHY" at <http://www.biography.com/people/griselda-blanco-2096540>.

Mr. Marks' sentence has proven to be disproportionately severe when compared with sentences received by these notorious and violent drug kingpins, as well as that of his co-defendants. It is also important to note some other important factors in this case; if arrested today, Mr. Marks would not face a mandatory minimum 10 year sentence for his conspiracy and possession with intent to distribute charges for at least 50 grams of cocaine base possession. A 2010 reform of the relevant law

substituted 280 grams for 50 grams for cocaine base to trigger the mandatory minimum, and ***The First Step Act*** has now made that change retroactive. ***The First Step Act*** has also eliminated the stacking provisions of 18 U.S.C. §924(c) which does not allow the government to bring two or more 924(c) counts in the same indictment, and subjecting people like Marks to grotesque 25 year sentencing enhancements for each additional 924(c) charge. At the moment, Marks sentence is 25 years higher than it would be if he were arrested today for the same charges. The Court of course could impose a sentence higher than 5 years for the drug conspiracy if it chose to do, which would change the 25 year term projection. Mr. Marks' sentence is 25 years longer than minimum guidelines set for his Total Offense Level and Criminal History Category as determined in 2008, meaning his sentence could be 24 years shorter today. Under the Obama administration there was reason to question whether the thirty years resulting from Marks two 18 U.S.C §924(c)(1) convictions would ever occur given the Department of Justice policy regarding sentence-enhancing penalties, such as those associated with 18 U.S.C. §924(c)(1). We know ***The First Step Act*** has changed this as well.

Given the changed enforcement environment resulting from former Attorney General Eric Holder's recommendations that stacking-like charges not be added simply to provide additional leverage to the government in negotiating plea deals, it is unlikely that two 18 U.S.C. §924(c) charges would have been appropriate to bring given the facts related to Mr. Marks, who had no previous drug or gun related convictions and who was never alleged or shown to have intimately tied possession of firearms to his drug-related conduct.

Now under the Trump Administration we know that Marks would not be subjected to a 25 year term for stacked sentences. Mr. Marks is currently serving a sentence that would likely be substantially lower today.

COMPONENTS	CURRENT SENTENCE	LIKELY SENTENCE TODAY
1. Statutory	15-40 years	No applicable 10 year mandatory sentence based on the jury verdict would be 28 grams to 112 grams Level 24.
2. Guideline Calculation (a) Base Offense Level	36	24
3. Criminal History Category	III	II
4. Guideline Range	360-Life	Under <i>The First Step Act</i> 57-71 months. Judge could impose a 60 month sentence for the drugs pursuant to 18 U.S.C. §3553(a), and <i>The First Step Act</i> as to counts 1, 7, 9, 11, 13 and 15.

In line with Mr. Marks request, a District Court Judge in the Eastern District of Oklahoma saw that justice be done in case No: 83-00096-01-cr **UNITED STATES V. LUIS ANTHONY-RIVERA**, under the **Holloway Doctrine**. In that case, the Judge released Mr. Rivera. Mr. Rivera was originally sentenced to life imprisonment plus 80 years, in which the same Judge who most recently released him once told him he should die in prison. It was the **Holloway Doctrine** and Mr. Rivera's extraordinary strides in prison are what changed that Judge's position. Also, in two other cases in the Eastern District of Pennsylvania in both **UNITED STATES V. TRADER**, 2015 U.S. Dist. LEXIS 109287, and **UNITED STATES V. EZELL**, 2015 U.S. Dist. LEXIS 109814 (8-18-15), the District Court Judge acknowledged Judge Gleeson's **Holloway Doctrine** and stated, "Prosecutors have exercised this power to do justice in other cases involving harsh mandatory minimum sentences. The court now calls on the appropriate officials in the United States Attorneys office to consider exercising that power in this case by agreeing to withdraw the §851 information so that the court may impose a sentence on defendant Tyrone Trader that better serves the interests of justice." Additionally, Weldon Angelos who like Mr. Marks was 24 years old in 2002 when he was arrested for three 924(c) counts. Angelos was eventually convicted of all counts and sentenced to 55 years and one day. Mr. Angelos is now free as the Department of Justice and the U.S. Attorneys Office opened the case, and allowed the Judge to do justice in that case. See, **United States v. Angelos**, Case No. 2:01-CR-00708 (PGC) (Dist. Of Utah-Central Division). Mr. Marks requests that this court make the same call asking the U.S. Attorneys office to consider exercising their enormous power in this case. Justice would be much better served if that power were exercised here. There is nothing left to gain in this case, but punishment and a burden on taxpayers. With the current political climate in Washington, D.C., clemency may not come in this case.

In the alternative, Marks requests that this Court resentence him to a term of 5 years as to Counts 1, 7, 9, 11, 13 and 15 based on *The Fair Sentencing Act*, that was made retroactive with the implementation of *The First Step Act*.

Clearly, the mandatory minimum of 10 years at the time of sentencing as to Counts 1 and 7 were motivating factors for the sentence as to Counts 9, 11, 13 and 15. Here, each of these counts are part of the same “sentencing package” as they all relate to both Count 1 and 7. If the Court were to resentence Marks as to Count 1 and 7 based on *The First Step Act*, the sentencing package would become unbundled as to Counts 9, 11, 13 and 15 which allows the Court to also resentence as to those Counts.

Under the sentencing package doctrine, the Court may vacate the entire sentence on all counts so that on remand, the trial Court can reconfigure the sentencing plan to ensure that it remains adequate to satisfy the sentencing factors in 18 U.S.C. §3553 (a). Greenlaw v. United States, 554 U.S. 237, 253, 128 S. Ct. 2559, 171 L.Ed.2d 399 (2008). The general rule is that sentences on multiple counts are “considered as part of a single sentencing package.” This reflects an understanding that, especially in the guidelines era, sentencing on multiple counts is an inherently interrelated, interconnected, and holistic process which requires a court to craft an overall sentencing - “The Sentence Package” - that reflects the guidelines and the relevant 3553(a) factors. See United States v. Fowler, 749 F.3d 1010, 1015 (11<sup>th</sup> Cir. 2014).

### CONCLUSION

Mr. Marks is now 40 years old, and has spent 16 years of his life in prison. There is nothing left to be gained by Marks spending any more time in prison. He submits he poses no meaningful risk to public safety any longer. Spending tens of thousands of dollars per year to incarcerate him is a waste of resources both human and financial, and no longer serves any just purpose.

Mr. Marks humbly asks for a chance to reclaim his life so he can be the son, brother and uncle his family needs and deserves. Mr. Marks has a loving family and friends willing to assist him and when released, (EXHIBIT G). He realizes that every path for good or evil begins with one small step. He submits that he has taken the right steps in bettering himself and becoming the change that he seeks to



see in others. Today, Mr. Marks knows he learned to appreciate life, liberty, and the pursuit of happiness, as well as the law, and his community.

For all the above reasons, Marks asks for the U.S. Attorney's Office forgiveness, as well as their mercy and grace, the same as he asks the Honorable David G. Larimer for his, by allowing him a chance to reclaim his life and show that he is THE CHANGE THAT I SEEK TO SEE IN OTHERS.

Mr. Marks, therefore requests that the Court vacates one of the 924(c) convictions in this case as to Count 7, and resentence him to a fairer and just sentence, that is in line with *The First Step Act*.

Respectfully submitted,

A handwritten signature in blue ink that reads "Chad Marks". The signature is written in a cursive, flowing style.

Chad Marks

DATED: February 12, 2019

**CERTIFICATE OF SERVICE**

I, Chad Marks, hereby certify that on this day of February 12, 2019, I did place the enclosed motion in the U.S. Postal Service Mailing System addressed to:

U.S. DISTRICT COURT CLERK  
100 STATE STREET  
ROCHESTER, NY 14614

JAMES P. KENNEDY, JR.  
UNITED STATES ATTORNEY  
138 DELAWARE AVENUE  
BUFFALO, NEW YORK 14202

Signed under the penalty of perjury  
this 12<sup>TH</sup> day February, 2019.

  
Chad Marks

**Exhibit A**

**Holloway Decision**



**UNITED STATES OF AMERICA - versus - FRANCOIS HOLLOWAY, Defendant.FRANCOIS  
HOLLOWAY, Petitioner, - versus - UNITED STATES OF AMERICA, Respondent.  
UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NEW YORK  
68 F. Supp. 3d 310; 2014 U.S. Dist. LEXIS 102278  
95-CR-78 (JG),01-CV-1017 (JG)  
July 25, 2014, Decided  
July 25, 2014, Filed**

**Notice:**

**Designated as not for publication on the slip opinion.**

**Editorial Information: Prior History**

Holloway v. United States, 2014 U.S. Dist. LEXIS 66868 (E.D.N.Y., May 14, 2014)

**Counsel**

For USA, Plaintiff (1:95-cr-00078-JG): Jason Allen Jones, LEAD ATTORNEY, United States Attorney's Office, EDNY, Brooklyn, NY; Samuel P. Nitze, LEAD ATTORNEY, United States Attorneys Office Eastern District of New York, Brooklyn, NY.

For Francois Holloway, also known as Abdu Ali, Petitioner (1:01cv1017): Harlan J. Protass, LEAD ATTORNEY, New York, NY USA.

For United States of America, Respondent (1:01cv1017): Jason Allen Jones, LEAD ATTORNEY, United States Attorneys Office Eastern District of New York, Brooklyn, NY USA; Samuel P. Nitze, LEAD ATTORNEY, United States Attorneys Office, Eastern District Of New York, Brooklyn, NY USA.

**Judges:** John Gleeson, United States District Judge.

**Opinion**

**Opinion by:** John Gleeson

**Opinion**

**MEMORANDUM REGARDING THE VACATUR OF TWO CONVICTIONS UNDER 18 U.S.C § 924(c)**

JOHN GLEESON, United States District Judge:

**A. Preliminary Statement**

There are injustices in our criminal justice system, including in this district, and they often result from the misuse of prosecutorial power. I have pointed some out in recent years in the hope that doing so might help eradicate or reduce the number of such abuses.<sup>1</sup> But prosecutors also use their powers *remedy* injustices. In the spirit of fairness - and with the hope of inspiring other United States Attorneys to show similar wisdom and courage - I write to applaud the admirable use of prosecutorial power in this case.

The power United States Attorney Loretta Lynch has put to use in Francois Holloway's case inheres in our adversarial system. It is the power to seek justice even after all appeals and collateral attacks have been exhausted and there is neither a claim of innocence nor any defect in the conviction or

DISHOT

sentence. Even in those circumstances, a prosecutor can do justice by the simple act of going back into court and agreeing that justice should be done. After careful consideration of Holloway's crimes, the views of his victims, and his conduct during the two decades he has been imprisoned as a result of this case, the government has decided that it need not stand by silently while Holloway serves three more decades of an unjust sentence. Specifically, it has agreed to an order vacating two of Holloway's counts of conviction and to a resentencing of him on the remaining counts. Even people who are indisputably guilty of violent crimes deserve justice, and now Holloway will get it.<sup>2</sup>

#### *B. Holloway's Offenses and Sentence*

Along with an accomplice, Holloway stole three cars at gunpoint during a two-day span in October 1994. The government brought separate counts for each carjacking, and each carjacking count was accompanied by its own so-called "§ 924(c) count." The latter counts were brought under 18 U.S.C. § 924(c), which makes it a crime to, among other things, use a firearm during a crime of violence.

Shortly before trial in 1995, the government offered Holloway a plea bargain. In exchange for Holloway's plea of guilty to the carjackings, it would drop two of the three § 924(c) counts, resulting in a sentencing range of 130-147 months. A sentence at the bottom of that range would have required Holloway to spend about nine years in prison.

Holloway insisted on a trial. He got one, but making that choice required him to face all three § 924(c) counts. Section 924(c) counts are a triple threat. First, they carry mandatory sentences, which by definition take a degree of judging out of sentencing. Second, they result in onerous enhancements for "second or subsequent [§ 924(c)] conviction[s]."<sup>3</sup> That sounds like a typical recidivism enhancement until you consider that the "second or subsequent" convictions can occur in the same trial as the first one, as they did here. Third, the mandatory sentences required by § 924(c) are also mandatorily *consecutive*, to one another and to all other sentences in the case. As a result, cases like Holloway's produce sentences that would be laughable if only there weren't real people on the receiving end of them. The United States Sentencing Commission has wisely asked Congress to reform § 924(c) to blunt the harsh impact it mandates in many cases.<sup>4</sup>

After Holloway was found guilty of the charges, I sentenced him. Under the then-mandatory Sentencing Guidelines, I imposed a 151-month prison term for the three carjackings. Then the § 924(c) sentences kicked in: a mandatory 5 years for the first one; a mandatory 20 for the second; another mandatory 20 for the third. The statutory requirement that those terms be consecutive to each other and to the 151 months for the carjackings produced a total prison term of 57 years and 7 months.

The difference between the sentencing outcome if a defendant accepts the government's offer of a plea bargain and the outcome if he insists on his right to trial by jury is sometimes referred to as the "trial penalty." Holloway likely would have been released in 2003 if he had pled guilty under the agreement offered by the government. But he went to trial instead, and now his projected release date is March 10, 2045. Thus, his trial penalty was 42 years in prison. To put his sentence in context, consider that in fiscal year 2013, the average sentence for defendants convicted of robbery in the federal courts was 77 months; the median sentence was 63 months.<sup>5</sup> Holloway got 691 months. He would likely have fared better if he had committed murder. The average sentence in federal court for murder in fiscal year 2013 was 268 months; the median was 240 months.<sup>6</sup> If Holloway had gotten 268 months, he'd already be out of prison. Finally, consider the sentence of Holloway's co-defendant, who engaged in the same conduct as Holloway but pled guilty and testified for the government at Holloway's trial. He was sentenced by another judge to 27 months in prison and was released in 1997.<sup>7</sup>



**Black** defendants like Holloway have been disproportionately subjected to the "stacking" of § 924(c) counts that occurred here.<sup>8</sup> The Sentencing Commission's Fifteen-Year Report in 2004 stated that **black** defendants accounted for 48% of offenders who qualified for a charge under § 924(c), but they represented 56% of those actually charged under the statute and 64% of those convicted under it.<sup>9</sup>

#### *C. The Proceedings After Holloway's Sentencing*

Holloway's conviction and sentence were affirmed by the Second Circuit in 1997<sup>10</sup> and the Supreme Court in 1999.<sup>11</sup> I denied his collateral attack pursuant to 28 U.S.C. § 2255 in 2002,<sup>12</sup> and the Second Circuit refused to issue a certificate of appealability.<sup>13</sup> An effort to file a successive petition was denied by the Second Circuit in 2010.<sup>14</sup>

#### *D. Holloway Now*

Holloway is 57 years old. He has five children between the ages of 23 and 37 and eight grandchildren. His family is fully supportive; they filled the courtroom during two recent court appearances.

Even though he was facing a half-century prison term, Holloway tried to better himself throughout his two decades of incarceration. He completed a Basic Wellness program in 2000, was recognized for his performance as a Unit Aide in 2002, completed a Parenting Program in 2002, completed a Stress Management class in 2006, completed a Parenting Skills Program Level I in 2007, received a Certificate of Achievement for officiating basketball in 2008, received a Certificate of Achievement for Song Writing Instructing in 2009, completed a Preparation for Release program in 2009, received a Certification in Food Protection Management in 2010, received a Career Diploma in Catering in 2010, completed a Culinary Arts program in 2011, completed a Basketball Officiating class in 2012, and completed all the requirements for the Challenge Program run by the facility's Psychological Services program last year.

Holloway's disciplinary record reveals five infractions. The most serious occurred in 1995, at the outset of his sentence, when he was placed in disciplinary segregation for 30 days for engaging in a group demonstration and failing to obey an order. The other four arose from minor rules violations that resulted in brief losses of commissary or telephone privileges. Only two occurred within the past 14 years, and there have been none in the past four years.

#### *E. The United States Attorney's Decision to Do Justice*

In late 2012, Holloway filed a motion to reopen his § 2255 proceeding under Fed. R. Civ. P. 60(b). Recognizing that there were good reasons to revisit Holloway's excessive sentence but no legal avenues or bases for vacating it, I issued an order on February 25, 2013, stating as follows: "I respectfully request that the United States Attorney consider exercising her discretion to agree to an order vacating two or more of Holloway's 18 U.S.C. § 924(c) convictions."<sup>15</sup>

In a letter dated July 24, 2013, the United States Attorney declined to agree to an order vacating two or more of Holloway's § 924(c) convictions. She observed that Holloway might be eligible for relief from the President through the exercise of his clemency power.<sup>16</sup> However, subsequent to that suggestion, the Department of Justice announced a new clemency initiative, and the criteria it set forth in describing the clemency applications it would support and prioritize made it likely that Holloway's crimes of violence would disqualify him.<sup>17</sup> Thus, on May 14, 2014, I asked the United States Attorney to reconsider exercising her discretion to agree to an order vacating two or more of Holloway's § 924(c) convictions so he could face a more just resentencing.<sup>18</sup>

At a court appearance on July 10, 2014, Assistant United States Attorney Sam Nitze stated as

follows:

Let me say formally, the U.S. Attorney has given long and careful consideration to your Honor's . . . earlier request . . . . She did carefully consider it and that was the office's recommendation - that Mr. Holloway seek clemency or commutation of sentence. And she further reconsidered, in light of your Honor's recent order, and has agreed to proceed along the lines similar to those that you proposed. I would say that's based on several considerations, and in part based on the office's view and her view that this is both a unique case and a unique defendant in many ways. And I say unique for a number of reasons, but I will state two of them.

First, this defendant's record while he's been in the custody of the Bureau of Prisons for the last two decades is extraordinary. He has the mildest of disciplinary records. There are a few infractions, but none of them are violent or involve drugs. They were minor, I believe five total in two decades. And it's also clear - we pulled the reports, and I know your Honor summarized some of this in your most recent order - but it's clear that he took advantage to better himself and to take advantage of the educational and other opportunities that the BOP provides. So, the way he has handled himself during this period of incarceration is extraordinary.

Second, as your Honor mentioned, we have made an effort to be in touch with the victims in this case . . . . [W]e were able to reach three victims, and every one of them said first that they were terrified by the experience - one in fact still wrestles with the fallout from that - but also that in their view, 20 years is an awfully long time, and people deserve another chance, and to a person they all supported - well, I think one would have framed it unopposed to an earlier release, and others were more affirmatively supportive of it. That is significant to us as well. Those are two among other aspects of this case that make it, I think, more than unusual, probably unique.

I want to be clear on this point - that the United States Attorney's position in this case shouldn't be interpreted as reflecting a broader view of Section 924(c) generally or its application to other cases.

In terms of how to proceed, we would propose to withdraw our opposition to the pending Rule 60(b) motion, and also to state on the record that we wouldn't oppose the granting of the underlying 2255 motion for the purpose of vesting the court with authority to vacate two of the 924(c) convictions, and to proceed to resentencing, all of that without taking a position on the merits of either the Rule 60 motion or the habeas petition.<sup>19</sup>

After that statement, Holloway's lawyer moved to vacate his convictions on two of the three § 924(c) convictions, and the convictions on Counts Ten and Twelve were vacated without opposition from the government. I will resentence Holloway on the remaining counts on July 29, 2014.

There is important work to be done in preparation for resentencing,<sup>20</sup> but the significance of the government's agreement is already clear: it has authorized me to give Holloway back more than 30 years of his life.

#### *F. Conclusion*

It is easy to be a tough prosecutor. Prosecutors are almost never criticized for being aggressive, or for fighting hard to obtain the maximum sentence, or for saying "there's nothing we can do" about an excessive sentence after all avenues of judicial relief have been exhausted. Doing justice can be much harder. It takes time and involves work, including careful consideration of the circumstances of particular crimes, defendants, and victims - and often the relevant events occurred in the distant past. It requires a willingness to make hard decisions, including some that will be criticized.

This case is a perfect example. Holloway was convicted of three armed robberies. He deserved



serious punishment. The judgment of conviction in his case was affirmed on direct review by the Supreme Court, and his collateral attack on that judgment failed long ago. His sentence was more severe than necessary to reflect the seriousness of his crimes and to adequately protect the community from him, but no one would criticize the United States Attorney if she allowed it to stand by doing nothing.

By contrast, the decision she has made required considerable work. Assistant United States Attorney Nitze had to retrieve and examine a very old case file. He had to track down and interview the victims of Holloway's crimes, which were committed 20 years ago. His office no doubt considered the racial disparity in the use of § 924(c), and especially in the "stacking" of § 924(c) counts. He requested and obtained an adjournment so his office could have the time necessary to make an extremely important decision.<sup>21</sup> United States Attorneys' offices work with limited resources. The effort that went into deciding whether to agree to vacate a couple of Holloway's convictions could have been devoted to other cases.

Finally, the easy route - that is, the "there's nothing we can do about your sentence" response - would have eliminated any concern that Holloway might squander the opportunity to make something of the rest of his life. The United States Attorney's decision here will be criticized if Holloway commits another crime upon his early release from prison. She could have extinguished that risk by doing nothing. But she has the wisdom and courage to confront it the right way - by asking me to ensure that Holloway gets the re-entry assistance a prisoner who has spent decades in prison will need.<sup>22</sup>

This is a significant case, and not just for Francois Holloway. It demonstrates the difference between a Department of Prosecutions and a Department of *Justice*. It shows how the Department of Justice, as the government's representative in every federal criminal case, has the power to walk into courtrooms and ask judges to remedy injustices.

The use of this power poses no threat to the rule of finality, which serves important purposes in our system of justice. There are no floodgates to worry about; the authority exercised in this case will be used only as often as the Department of Justice itself chooses to exercise it, which will no doubt be sparingly. But the misuse of prosecutorial power over the past 25 years has resulted in a significant number of federal inmates who are serving grotesquely severe sentences, including many serving multiple decades and even life without parole for narcotics offenses that involved no physical injury to others. Even seasoned federal prosecutors will agree that many of those sentences were (and remain) unjustly severe.

The United States Attorney has shown here that justice is possible in those cases. A prosecutor who says nothing can be done about an unjust sentence because all appeals and collateral challenges have been exhausted is actually *choosing* to do nothing about the unjust sentence. Some will make a different choice, as Ms. Lynch did here.

Numerous lawyers have been joining *pro bono* movements to prepare clemency petitions for federal prisoners,<sup>23</sup> and indeed the Department of Justice has encouraged the bar to locate and try to help deserving inmates.<sup>24</sup> Those lawyers will find many inmates even more deserving of belated justice than Holloway. Some will satisfy the criteria for Department of Justice support, while others will not. In any event, there's no good reason why all of them must end up in the clemency bottleneck. Some inmates will ask United States Attorneys for the kind of justice made possible in this case, that is, justice administered not by the President but by a judge, on the consent of the Department of Justice, in the same courtroom in which the inmate was sentenced. Whatever the outcome of those requests, I respectfully suggest that they should get the same careful consideration that Ms. Lynch and her assistants gave to Francois Holloway.



John Gleeson, U.S.D.J.

Dated: July 25, 2014

Brooklyn, New York

#### Footnotes

1

See *United States v. Kupa*, 976 F. Supp. 2d 417 (E.D.N.Y. 2013) (criticizing the use of recidivism-based enhancements of the drug offense mandatory minimum sentences to coerce guilty pleas and to punish those who refuse to plead guilty); *United States v. Dossie*, 851 F. Supp. 2d 478 (E.D.N.Y. 2012) (criticizing the routine use of drug offense mandatory minimums, which Congress intended for leaders and managers of drug trafficking operations, against low-level drug traffickers); *United States v. Vasquez*, No. 09-CR-259, 2010 U.S. Dist. LEXIS 32293, 2010 WL 1257359 (E.D.N.Y. Mar. 30, 2010) (same); see also *United States v. Diaz*, No. 11-CR-821-2, 2013 U.S. Dist. LEXIS 11386, 2013 WL 322243 (E.D.N.Y. Jan. 28, 2013) (calling on the United States Sentencing Commission to "de-link" the drug trafficking ranges set forth in its Guidelines Manual from the mandatory minimums); *United States v. Ovid*, No. 09-CR-216, 2010 U.S. Dist. LEXIS 105390, 2010 WL 3940724 (E.D.N.Y. Oct. 1, 2010) (responding to the Justice Department's criticism of judges who sentence below the Guidelines ranges in fraud cases).

2

The prosecutorial power at issue here has been exercised in other cases. For example, in *United States v. Mayo*, the government agreed to an order vacating the sentence of a defendant whom no one (not even the defendant herself) knew was pregnant at the original sentencing. The government's agreement allowed me to resentence the defendant to a shorter prison term so the baby would not be placed in foster care. *United States v. Mayo*, No. 05-CR-43 (E.D.N.Y.), Order, April 11, 2007, at 1, ECF No. 304 ("The government ... may wish to consider joining in an application to vacate sentence under 28 U.S.C. § 2255 so a new sentencing proceeding can occur."); Letter dated May 21, 2007 from AUSA Lee J. Freedman to the Court, ECF No. 309 ("[T]he government consents to the application envisioned by the Court's Order."). More recently, and again based solely on the consent of the government, I vacated the sentence of a defendant who had cooperated with the government. Modest adjustments in the prison term and fine on resentencing mitigated the immigration consequences of the conviction on the defendant. *United States v. Anandani*, No. 11-CR-763 (E.D.N.Y.), Tr. October 25, 2013, at 2-3. In both of those cases, the government refused to allow procedural impediments it had the authority to waive stand in the way of a more just sentencing.

3

U.S.C. § 924(c)(1)(C).

4

See U.S. Sentencing Comm'n, *Report to the Congress: Mandatory Minimum Penalties in the Federal Criminal Justice System* ("Mandatory Minimum Report"), at 368 (Oct. 2011) (recommending that Congress lower the mandatory prison sentences in the section, make the recidivism enhancements applicable only when the first offense was the result of a prior conviction, and allow for concurrent sentences on "stacked" § 924(c) counts), available at .

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U.S. Sentencing Comm'n, 2013 *Sourcebook of Federal Sentencing Statistics*, Table 13 (2013), available at .

6

*Id.*

7

*United States v. Arnold*, No. 95-CR-78-1, Judgment as to Teddy Arnold, July 25, 1996, ECF No. 140; Fed. Bureau of Prisons, *Inmate Locator*, / (indicating that Teddy Arnold was released on December 5, 1997).

8

See U.S. Sentencing Comm'n, *Mandatory Minimum Report*, at 363 (stating that **black** offenders are disproportionately convicted under § 924(c), subject to mandatory minimums at sentencing, and convicted of multiple § 924(c) counts).

9

U.S. Sentencing Comm'n, *Fifteen Years of Guidelines Sentencing*, at 90 (Nov. 2004), available at see also Sonja B. Starr & M. Marit Rehavi, *Mandatory Sentencing and Racial Disparity: Assessing the Role of Prosecutors and the Effects of Booker*, 123 Yale L.J. 2, 28-29 (2013) (even after controlling for, *inter alia*, arrest offense, district, age, criminal history category, and education level, **black** men are nearly twice as likely as white defendants to be charged with an offense carrying a mandatory minimum sentence).

10

*United States v. Holloway*, 126 F.3d 82 (2d Cir. 1997).

11

*Holloway v. United States*, 526 U.S. 1, 119 S. Ct. 966, 143 L. Ed. 2d 1 (1999).

12

*Holloway v. United States*, No. 01-CV-1017, 2002 U.S. Dist. LEXIS 29134 (E.D.N.Y.), Order Denying § 2255 Petition, Mar. 21, 2002, ECF No. 17.

13

*Id.*, USCA Mandate Denying Cert. of Appealability, Feb. 5, 2003, ECF No. 23.

14

*Id.*, USCA Mandate Denying Successive Petition, Jan. 5, 2010, ECF No. 28.

15

*Id.*, Order, Feb. 25, 2013, ECF No. 36.

16

*Id.*, Letter Response, July 24, 2013, ECF No. 42.

17

See U.S. Dep't of Justice, *Announcing New Clemency Initiative*, Deputy Attorney General James M. Cole Details Broad New Criteria for Applicants (April 23, 2014) (last visited July 24, 2014).

18

*Holloway v. United States*, No. 01-CV-1017, 2014 U.S. Dist. LEXIS 66868 (E.D.N.Y.), Order, May 14, 2014, ECF No. 54.

19

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7

*Id.*, Tr. of Proceedings, July 10, 2014, at 6-8.

20

I have directed the Probation Department to conduct an investigation into, among other things, the appropriateness of halfway house placement at the conclusion of Holloway's prison term. I must keep in mind, among many other factors, the safety of the community. After 20 years in prison, Holloway will require assistance if he is to successfully re-enter that community.

21

See Minute Entry, June 20, 2014.

22

*Id.*, Tr. of Proceedings, July 10, 2014, at 8 (Mr. Nitze: "[R]eentry planning is obviously important in every case, and probably particularly so in a circumstance like this. So we are here to help in any way we can, but we wanted to put on the record that we hope the reentry plan will be thorough.").

23

See, e.g., The Mercy Project (an initiative of the Center on the Administration of Criminal Law at New York University School of Law), (last visited July 25, 2014); Clemency Project 2014 (a working group composed of Federal Defenders, the American Civil Liberties Union, Families Against Mandatory Minimums, the American Bar Association, and the National Association of Criminal Defense Lawyers), (last visited July 25, 2014).

24

See, e.g., U.S. Dep't of Justice, *Remarks as Prepared for Delivery by Deputy Attorney General James Cole at the New York State Bar Association Annual Meeting*, at 1, January 30, 2014 ("This is where you can help. We are looking to the New York State Bar Association and other bar associations to assist potential candidates for executive clemency."), *available at* .



**Exhibit B**

**Accomplishments**

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PAGE 001

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INMATE EDUCATION DATA  
TRANSCRIPT

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RSP OF: RBK-RAY BROOK FCI

FUNC: PRT

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RBK	GED HAS	COMPLETED GED OR HS DIPLOMA	06-26-2008 1715	CURRENT

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SUB-FACL	DESCRIPTION	START DATE	STOP DATE	EVNT	AC	LV	HRS
RBK	ASSOCIATE DEGREE OF MINISTRY	10-01-2017	07-24-2018	P	C	P	360
RBK	ASSOCIATE DEGREE OF MINISTRY	10-01-2017	06-02-2018	P	C	P	540
RBK	WRITING ABOUT PLACES	03-28-2018	05-03-2018	P	C	P	15
RBK	CRIMINAL THINKING	06-14-2017	08-30-2017	P	C	P	12
RBK	FICTION WRITING - AIR COURSE	02-14-2017	06-01-2017	P	C	P	20
RBK	SUICIDE COMPANION	01-22-2016	05-26-2017	P	W	V	23
RBK	AVP FACILITATOR	07-15-2016	07-17-2016	P	C	P	22
RBK	0730 BUSINESS WORD 1	01-25-2016	07-07-2016	P	W	V	58
RBK	ANGER MANAGEMENT	02-03-2016	05-18-2016	P	C	P	9
RBK	INFORMATIONAL JOB FAIR	04-24-2016	04-30-2016	P	C	P	30
RBK	SCENE WRITING	03-21-2016	05-03-2016	P	W	V	0
RBK	AVP FACILITATORS	03-04-2016	04-15-2016	P	C	P	22
RBK	ASSOCIATE CERT ELECTRONIC TECH	01-01-2016	03-30-2016	P	W	V	86
RBK	AVP BASIC	12-04-2015	12-07-2015	P	C	P	22
RBK	AVP ADVANCED	01-22-2016	01-24-2016	P	C	P	22
RBK	VALUES, GOAL SETTING, & ACHIEVE	05-26-2015	11-17-2015	P	C	P	10
RBK	REENTRY SUPPORT RESOURCES	05-26-2015	11-14-2015	P	C	P	10
RBK	VICTIM AWARENESS & RESTITUTION	05-26-2015	11-14-2015	P	C	P	10
RBK	BASICS OF BUSINESS & OWNERSHIP	10-28-2014	07-15-2015	P	C	P	80
RBK	MOCK JOB FAIR	09-23-2015	09-24-2015	P	C	P	8
RBK	JOB SEARCH WORKSHOP	08-04-2015	10-06-2015	P	C	P	2
RBK	RESUME WORKSHOP	08-04-2015	10-06-2015	P	C	P	2
RBK	TEAMWORK WORKSHOP	08-04-2015	10-06-2015	P	C	P	2
RBK	PROFESSIONALISM WORKSHOP	08-04-2015	10-06-2015	P	C	P	2
RBK	TIME MANAGEMENT WORKSHOP	08-04-2015	10-06-2015	P	C	P	2
RBK	SOCIAL MEDIA WORKSHOP	08-04-2015	10-06-2015	P	C	P	2
RBK	ANGER MANAGEMENT	05-26-2015	09-29-2015	P	C	P	10
RBK	COUNSELING IND. COMM. REENTRY	05-26-2015	09-29-2015	P	C	P	10
RBK	EMPLOYMENT SKILLS	05-26-2015	09-29-2015	P	C	P	10
RBK	JOB PLACEMENT ASSISTANCE	05-26-2015	09-29-2015	P	C	P	10
RBK	MONEY MANAGMENT SKILLS	05-26-2015	09-29-2015	P	C	P	10
RBK	PERSONAL DEVELOPMENT	05-26-2015	09-29-2015	P	C	P	10
RBK	PROBLEM SOLVING&DECISION MAKE	05-26-2015	09-29-2015	P	C	P	10
RBK	INTERVIEW WORKSHOP	08-04-2015	08-04-2015	P	C	P	2
RBK	USE GRAMMAR-PUNCTATION-SYNTAX	03-26-2015	05-08-2015	P	W	V	6
RBK	LEADERS BREED LEADERS	01-02-2015	01-27-2015	P	C	P	12
RBK	ADVANCED MEMOIR WRITING	01-08-2015	02-26-2015	P	C	P	20
RBK	FAIR SHAKE RESOURCES INFO	11-04-2014	11-05-2014	P	C	P	2
RBK	HOW TO START A NON-PROFIT ORG	11-04-2014	12-04-2014	P	C	P	12
RBK	HANDS ON BANKING	11-15-2014	12-02-2014	P	C	P	6

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MORE PAGES TO FOLLOW . . .



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PAGE 002 OF 002 \*

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FUNC: PRT

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RBK	SUPPORT SYSTEMS	12-02-2014	12-02-2014	P	C	P	2	
RBK	PREPARING FOR RELEASE: PART 2	12-02-2014	12-02-2014	P	C	P	2	
RBK	DAY OF RELEASE	12-02-2014	12-02-2014	P	C	P	2	
RBK	LIFESTYLE CHANGES	12-02-2014	12-02-2014	P	C	P	2	
RBK	RELAPSE TRIGGERS	12-02-2014	12-02-2014	P	C	P	2	
RBK	SUPPORT SYSTEMS	12-02-2014	12-02-2014	P	C	P	2	
RBK	OES FACILITATOR TRAINING	10-14-2014	11-05-2014	P	C	P	4	
RBK	OUTSIDE THE WALLS	10-14-2014	11-05-2014	P	C	P	2	
RBK	OFFENDER EMPLOYMENT SPECIALIST	10-14-2014	11-04-2014	P	C	P	20	
RBK	7 HABITS OF EFFECTIVE PEOPLE	06-24-2014	07-30-2014	P	W	V	4	
TCP	SELF-STUDY: GOOD EATS 2	09-11-2013	09-18-2013	P	C	P	4	
TCP	SELF-STUDY: GOOD EATS 1	09-11-2013	09-18-2013	P	C	P	5	
CLP	ADVANCED CALISTHENICS	07-11-2012	08-15-2012	P	C	P	4	
CLP	TYPING CLASS 1230PM-1530PM	03-06-2012	04-03-2012	P	C	E	100	
CLP	RPP HEALTH/NUTRITION #1	10-31-2011	10-31-2011	P	C	P	1	
POM	JOB SKILL SHU PRE-RELEASE	03-15-2011	05-05-2011	P	C	P	4	
POM	ANGER MANAGEMENT SHU PRE-REL	03-01-2011	03-31-2011	P	C	P	4	
LEE	HOW TO INCORPORATE	04-26-2010	07-06-2010	P	C	P	10	
LEE	ACE - INCORPORATE II	04-26-2010	07-06-2010	P	C	P	10	
LEE	RP2 COMM.DRIVER'S LICENSE	01-13-2010	04-05-2010	P	C	P	10	
LEE	OWNING YOUR OWN BUSINESS	01-13-2010	04-05-2010	P	C	P	16	
LEE	RPP5 RPP ORIENTATION	03-19-2009	03-19-2009	P	C	P	1	
LEE	RPP1 AIDS AWARENESS	03-19-2009	03-19-2009	P	C	P	1	
BSY	SHU-ACE MAKE YOUR MONEY GROW	11-02-2008	11-14-2008	P	C	P	4	
BSY	SHU-ACE MASTER YOUR MONEY	11-02-2008	11-14-2008	P	C	P	4	
BSY	SHU-ACE INSURANCE INFO	11-02-2008	11-14-2008	P	C	P	4	
BSY	SHU-ACE CONSUMER RIGHTS	11-02-2008	11-14-2008	P	C	P	4	
BSY	SHU-ACE HOW TO WRITE A RESUME	10-20-2008	10-30-2008	P	C	P	4	
BSY	SHU-ACE PERSONAL CREDIT	10-20-2008	10-30-2008	P	C	P	4	
BSY	SHU-ACE HOW TO FIND A JOB	10-20-2008	10-30-2008	P	C	P	4	
BSY	SHU-ACE JOB APPLIC TIPS	10-20-2008	10-30-2008	P	C	P	4	
BSY	SHU-ACE JOB HISTORY/INVENTORY	10-20-2008	10-30-2008	P	C	P	4	
BSY	SHU-ACE TIPS TO FIND A JOB	10-20-2008	10-30-2008	P	C	P	4	
BSY	SHU-ACE CREDIT CARD LANGUAGE	10-20-2008	10-30-2008	P	C	P	4	
BSY	SHU-ACE READING ADVERTISEMENTS	10-20-2008	10-30-2008	P	C	P	4	
BSY	SHU-ACE HOW TO WRITE CHECKS	10-20-2008	10-30-2008	P	C	P	4	
BSY	YOUR STRATEGIC FUTURE	07-07-2008	07-07-2008	P	C	P	8	
BSY	A & P, JOB SKILLS SURVEY	07-07-2008	07-07-2008	P	C	P	8	
BSY	ELL ORIENTATION	06-18-2008	06-18-2008	P	C	P	1	

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TRANSACTION SUCCESSFULLY COMPLETED

# Vision International University

Upon recommendation of the Faculty

has conferred on

**Chad Marks**

the degree of

**Associate of Ministry**

with all the rights and privileges thereunto pertaining.

In the witness whereof, our signatures are hereunto affixed.



GIVEN at Ramona, California, July 24, 2018.

A handwritten signature in cursive script, likely belonging to the President.

President

A handwritten signature in cursive script, likely belonging to the Academic Dean.

Academic Dean





# INTERNATIONAL SCHOOL of MINISTRY™

## TRANSCRIPT

UNOFFICIAL  
TRANSCRIPT

Student: **Chad Marks**  
Enrolled: 5/1/2017

Graduation Date: 7/24/2018

### Trimester 1

Foundations of the Faith	RS101	A
Supernatural Living, Part 1	RS217	B-
New Testament Survey, Part 1	BI102	A-
Praise and Worship	RS105	B
Supernatural Living, Part 2	RS217	B-
New Testament Survey, Part 2	BI102	A

### Trimester 2

Power of Prayer	RS106	A
Jesus Our Healer Today	RS205	A-
Old Testament Survey, Part 1	BI101	B-
Essence of the Gospel	BI201	B-
Ministry of Helps	BI208	B-
Old Testament Survey, Part 2	BI101	B-

### Trimester 3

Introduction (Mobilize to Multiply)	ED101	A-
Cell Growth and Principle of 12	RS216	B-
Power Evangelism	RS103	C+
Church Based Training	RS314	B-
Leader's Integrity	RS102	C-
Leadership Vision	RS304	B-
Church Planting	PC200	B-
Being Led by the Spirit	RS204	B-

### Trimester 4

Wilderness Mentalities	RS219	B
Developing Leaders	RS111	B+
Missions and the Harvest	RS305	B-
Personal Evangelism	PC300	B+
Spiritual Warfare	RS110	A
Reconciliation	BI302	B-
Cell Group Leaders	RS216	B-

### Trimester 5

Christ Connection	RS315	A
Living to Give	PC100	A
Supernatural Faith	RS209	B-
Children and Youth Ministries	ED301	A
Biblical Eldership	RS301	B-
Discipleship	RS219	B-

Signed: \_\_\_\_\_

*Chad Marks*  
Office of Registrar

Date: \_\_\_\_\_

*9/19/18*



# INTERNATIONAL SCHOOL of MINISTRY

THIS DOCUMENT CERTIFIES THAT

CHAD MARK

HAS FULFILLED THE REQUIREMENTS OF A

## CERTIFICATE OF BIBLICAL STUDIES



USING THE

**INTERNATIONAL CURRICULUM**

ON THIS 10 DAY OF APRIL, 2018



*Erin Gillen*  
INTERNATIONAL PRESIDENT

*Lisa Gillen*  
ACADEMIC DEAN

REGIONAL CENTER DIRECTOR

SCHOOL DIRECTOR



*My degree is coming in the mail soon.*

# Certificate of Achievement

This certificate hereby acknowledges

**Chad Marks**

for successfully facilitating each core competency of  
*Leaders Breed Leaders*,  
an in-depth training course designed for men who  
aspire to achieve positions of leadership in their lives.



Awarded on this 27<sup>th</sup> day of January, 2015.



*M. Lavigne*

M. Lavigne, Adult Continuing Education Coordinator



**Inmate:** MARKS, CHAD | Photo **Register Number:** 12010-055 **Detainer:** N **Lookup RegNo.:**  
**Institution:** RAY BROOK FCI **Age:** 36 **CMC:** Y  
**Projected Release:** 03-12-2038 **Release Method:** GCT REL **Sentry:** [Unknown] | Synch

## Assessment Plan

### Staff Observation

SpellCheck

^  
v

#### Current Staff Observations

Date	Fac	Dept	Observation
05-01-2015	RBK	EDU	Has taught the ACE course Leaders Breed Leaders twice for the Education Department. As an Instructor he keeps his student's engaged and actively learning.

⚡ BACK TO TOP

# Certificate of Achievement

This certificate hereby acknowledges


## Chad Marks

for successfully completing all core competencies of  
Offender Employment Specialist: Building Bridges.

Created by the National Institute of Corrections and endorsed by the National Career Development Association, this entry-level training program teaches participants how to improve employment outcomes for persons with criminal histories through collaboration, assessment, job readiness and job development.

Instruction provided as part of the Ray Brook Reentry Initiative in collaboration with Federal Correctional Institution Ray Brook.

Awarded on this 1<sup>st</sup> day of November, 2014

  
J. Dukette, Vocational Training Instructor

RAY BROOK  
**Reentry**  
INITIATIVE

  
S. Kieffer, Reentry Affairs Coordinator





# Offender Employment Specialist

## Building Bridges

### Course Transcript



Building Bridges

This course transcript acknowledges your completion of the *Offender Employment Specialist Introduction Training* (20 hours) and *Offender Employment Specialist Facilitator Training* (4 hours). These courses were designed as entry-level training for practitioners who assist offenders in securing and retaining employment. The target audiences for these trainings include, but are not limited to, those who work in prisons, jails, probation, parole, one-stops, career resource centers, government agencies, and faith-based and community organizations.

Successful completion of these courses indicates your knowledge and understanding of how to improve employment outcomes for persons with criminal histories through strategies addresses in the curriculum, including collaboration, assessment, job readiness, and job development.

#### Curriculum Components include:

##### Offender Employment Specialist: Building Bridges

###### Learning Objectives:

- Define the range of roles of OES professionals
- Identify generational poverty issues that affect offenders' motivation
- Define relationships between offenders, OES practitioners and employers in the OES model

##### Setting the Stage: Offender Voices

###### Learning Objectives:

- Identify re-entry and employment challenges in the first 90 days after release
- Identify barriers from the perspective of offenders and practitioners
- Define offenders' roles in the OES model

##### Improving Outcomes through Collaboration

###### Learning Objectives:

- Identify strategies for collaboration
- Identify new roles for supervision officers
- Identify key community partners
- Define One-Stop services
- Identify basics of writing MOUs
- Identify strategies for expanding resources
- Identify strategies for mental health and substance abuse
- Identify approaches for evaluating success

##### Addressing Pre-employment and Job Readiness

###### Learning Objectives:

- Describe pre-employment and job readiness skills and resources
- Identify content for offender pre-employment programs
- Identify strategies for obtaining employment documents
- Identify strategies for overcoming challenges with applications and resumes
- Formulate effective responses to the felony question

##### Conducting an Effective Job Search

###### Learning Objectives:

- Identify technology tools for job search
- Identify One-Stop resources
- Identify strategies for addressing concerns regarding offenders' internet access
- Define sources of labor market information
- Identify strategies for utilizing labor market information

##### Utilizing Assessment Tools

###### Learning Objectives:

- Identify reasons for using assessment tools
- Identify strategies for formal and informal assessment tools
- Identify ways assessment can be used for triage, intervention and planning
- Demonstrate tools for assessing offenders' skills and interests
- Evaluate assessment interview strategies

##### Developing Interventions

###### Learning Objectives:

- Define roles for supervision
- Identify the advantages of case management teams
- Identify strategies for team-based interventions
- Demonstrate strategies for goal-setting with offenders
- Create interventions in response to offender case studies

##### Connecting with Employers for Job Development

###### Learning Objectives:

- Define roles and responsibilities of a job developer
- Identify employers' expectations of job developers
- Define employers' customer service expectations
- Identify effective marketing strategies
- Explain employer incentives
- Identify elements of an effective job developer's pitch
- Practice responding to employers' objections

##### Making Job Good Matches

###### Learning Objectives:

- Describe elements of a good job match
- Identify four key considerations for a successful job match
- Identify reasons for considering offenders' skills and interests
- Describe reasons for placing offenders in new fields of work
- Create a job placement checklist
- Identify special considerations for placement of sex offenders

##### Implementing Effective Strategies

###### Learning Objectives:

- Identify best practice strategies
- Identify resources for one-stops within correctional facilities
- Identify advantages of job fairs and mock job fairs
- Identify strategies for conducting transition fairs

Trainee Name:

Marks, Chad

Facilitator Name:

Mr. J. Durette V.T. Instructor

Authorized Signature:

*[Signature]*

Training Organization:

Ray Brook Reentry Initiative

Date of Completion:

November 01, 2014

Total Credit Hours:

24 Credit Hours

# Certificate of Completion

This certificate hereby acknowledges

**Chad Marks**

for successfully completing each chapter of  
Outside the Walls: A National Snapshot of  
Community-Based Reentry Programs,  
demonstrating an ongoing commitment to  
personal growth and development.

Awarded on this 1st day of November, 2014.



RAY BROOK  
**Reentry**  
INITIATIVE

  
Mr. J. Dukette, Vocational Training Instructor



**Exhibit C**

**Alternatives To Violence Project**



ALTERNATIVES TO VIOLENCE PROJECT, INC.

P.O. Box 6851

Ithaca, NY 14851-6851

Phone and fax #: 800-909-8920 or 315-604-7940

e-mail: [info@avpny.org](mailto:info@avpny.org)

To Whom It May Concern:

This letter attests to the fact that CHAD MARKS has completed an AVP Facilitator Training Workshop (T for F).

The workshop consisted of approximately 20 hours of experiential learning in the fundamentals of leading an AVP Basic Course Workshop. This workshop has prepared the above named individual to serve as an Apprentice Trainer on an actual AVP workshop team.

Upon completion of an apprenticeship (the length to be determined by local AVP Area Councils), this individual will be conferred as a fully qualified AVP Facilitator through the receipt of a gold-bordered certificate.

6 MARCH 2016  
Date

STEVE BOLLALE  
Lead Facilitator

Jill P. McLellan

Jill McLellan, President  
Alternatives to Violence Project / New York







AVP

THE ALTERNATIVES TO VIOLENCE PROJECT, INC.

CERTIFIES

that

*Chad Marks*

has completed a BASIC COURSE in Nonviolent Conflict Resolution

*Steve Beavers*  
Facilitators  
*Carayn Polkay*

12.6.15

Date

*Lee P. M. Lellan*

President  
AVP Board of Directors



AVP

THE ALTERNATIVES TO VIOLENCE PROJECT, INC.

CERTIFIES

that

*Chad Marks*

has completed an ADVANCED COURSE in Nonviolent Conflict Resolution

<i>Steve Braley</i>	<i>24 Jan '16</i>	<i>Carolyn Parkinson</i>	<i>for P. M. Lellam</i>
Facilitators	Date	Co-President	Co-President
		AVP Board of Directors	AVP Board of Directors



C. ...  
... character!  
...  
(...)

~~NOT PROPERTY ASSISTANCE - & F~~

... difference, like Sept to the Side

FCI RAY BROOK

Beyond Self - BB

A.V.P. your evolution inspires  
me - your friend Karma

BREAK THROUGH K4  
WIKIND!

DEB SRP  
I Love

Peace

Thank you for  
An outlook on your  
and A. Ange!

WAY TO SPEAK  
UP TRUTH!

-T. Torrence

Continue your  
work and do it  
From the Heart  
trust me it will  
pay off

VERY GOOD FRIEND  
THANK U FOR  
SHARING YOUR  
THOUGHTS LEARNED  
SO MUCH FROM U  
GOD, BLESS...

PERFECT PETE

Chad,  
You truly are  
courageous - you speak  
your mind in such an  
open and thoughtful  
way + have strong  
leadership abilities  
Look forward to  
working with you in  
AVP. Contagious

Chris

what's up my brother  
Thanks For helping  
me and others we  
appreciate it. THANKS  
For sharing  
lovable LUIS

Peace if possible  
war if necessary  
Dynamite  
Dennis

Thank you  
for this time

You have a  
wonderful  
attitude!

Lucky L

Thank u for it and Contagious



My off

air's

PERFECT PETE

nd to  
working with you in  
AVP. Contagious

what's up my brother  
Thanks For helping  
me and others we  
appreciate it. Thanks  
For sharing  
lovable LULS

Peace if possible.

war if necessary

Dynomite  
Dennis

Thank you  
for this time

You have a  
wonderful  
attitude!

Lucky L

Thanks 4 keeping it real  
and the experience.  
-likeable brownie

we  
shared  
together  
thats  
tough

Courageous you  
are.

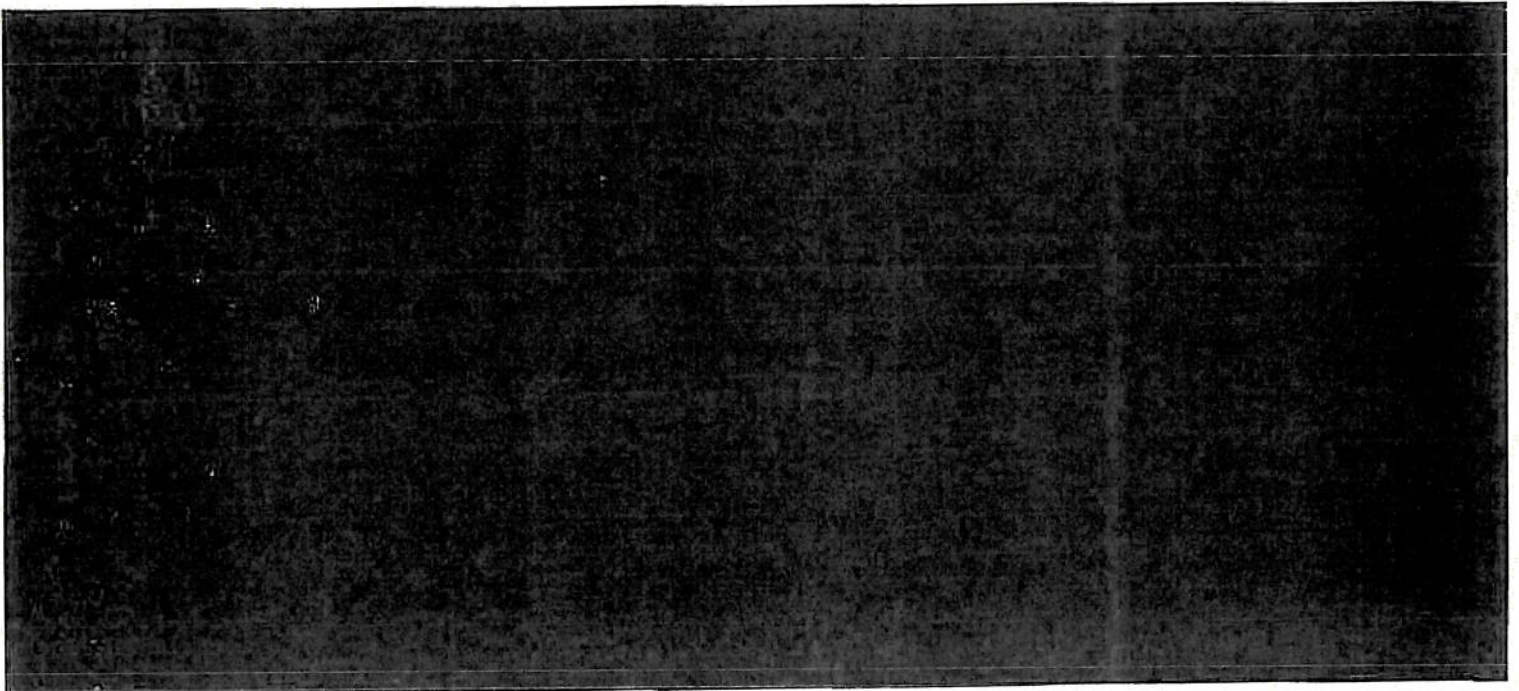
Thoughtful  
Shame

Courageous Chad

### ALTERNATIVES TO VIOLENCE PROJECT

YOU'RE BEING A PHENOMENAL CONTRIBUTOR ALL WEEKEND, AND  
YOU HAVE A TON TO OFFER AVP - AND THE LOCALS. MANY  
THANKS!

S.S.





Winger,  
And  
old Bishop

# COURAGEOUS CHAO

Case 6:03-cr-6033-DGL Document 491 Filed 02/13/19 Page 42 of 103

you a very intelligent person  
Kind Kevin

Good Leader And  
a great personality  
C.C.

you are many good things  
and the universe sees it  
our times here, brother  
I wish you the best  
in every thing.  
Keep your head up. L.L.

Great Persons all  
around keep on  
pushing life is  
what you make it  
S. B.

Great job.  
You've come a  
long way!  
Stay up! Tenacious

We've know each other  
for years and I've  
seen your transformation  
for the better. Keep  
fighting the good fight  
until you're home, then  
start all over again,

Great leader, and  
very helpful person!!  
Stay Strong thru your  
journey!! KK

Stay on track. I love you bro "K... D..."

Ed. I know for sure, so know that  
you can never fail when you keep  
your heart in the Lord Jesus!

Theresa  
S. Williams

h.h.

I LEARNED A LOT FROM  
you this weekend. I  
thank you loud & clear. AA

The situation that happened  
in the mess hall was a  
good example for resolving  
a conflict...

(Co-facilitator,  
Thank for holding it down.  
I appreciate you for being a good  
guy in a not so good environment  
Much love  
Trumpet Terence

How many of these  
I gotta sign for you Sheesh!!  
You still my bro D.D.

YOU'VE GONE ABOVE AND BEYOND ALL WEEKENDS, AND ITS  
GIVE AN HONOR TO FACILITATE WITH YOU. YOU'RE A  
HEART-AND-SOUL GUY, AND THE GROUP HAS BEEN BLESSED

your ability to see the good  
in others shines through!  
and we can appreciate!

"I HAVE BEEN A PLEASURE FACILITATING WITH  
YOU THIS WEEKEND! YOU HAVE GREAT EMPATHY  
EX OTHERS & A SENSITIVITY TO THE PEOPLE THAT IS."

**Exhibit D**

**Orderly Letters**





**U.S. Department of Justice**

**Federal Bureau of Prisons**

**Federal Correctional Institution**

---

P.O. Box 300  
Ray Brook, NY 12977-0300

March 4, 2018

**FROM:** R.St.Louis, Lieutenant

A handwritten signature in black ink, appearing to be "R. St. Louis", written over a horizontal line.

**SUBJECT:** Inmate Chad Marks

Inmate Marks has worked as the Lieutenants and Captains Orderly for over one year. As inmate Marks's supervisor, I am satisfied with his job performance as it is above that of his peers. Marks responds well to supervision and instruction, completes tasks without being asked and has an outstanding overall job proficiency. I would recommend Chad Marks for employment in the work force.





U.S. Department of Justice

Federal Bureau of Prisons

Federal Correctional Institution

---

P.O. Box 300  
Ray Brook, NY 12977-0300

September 4, 2014

MEMORANDUM FOR M. LAVIGNE, CASE MANAGER

FROM: //S//  
T. Breeyear, Education Specialist

SUBJECT: Marks, C. #12010-055

Inmate Marks, C. #12010-055 has worked for the education department at FCI Ray Brook since July 2, 2014. Inmate Marks' main responsibility is tutoring other inmates in order to assist them in obtaining their GED in the morning, and by teaching an "extra help" GED class that is offered for two hours in the evening. Inmate Marks often volunteers his time in the afternoon, which is his time off during each weekday, tutoring his peers as well.

Inmate Marks has spent numerous hours assisting in the creation of the curriculum of the R.I.S.E. (Rehabilitate Integrate Stimulate Educate) program, which is a new re-entry program that will be offered to inmates at FCI Ray Brook in the near future. As Inmate Marks' supervisor, I'm satisfied with his job performance as it is above that of his peers. Inmate Marks responds well to supervision and instruction, completes tasks without being asked, takes initiative in motivating inmates to obtain their GED, and has an outstanding overall job proficiency.

**Exhibit E**

**Suicide Prevention**



# CERTIFICATE OF COMPLETION



THIS CERTIFICATE HAS BEEN AWARDED TO

**CHAD MARKS (12010-055)**

FOR SUCCESSFUL COMPLETION OF THE MANDATORY 4-HOUR  
TRAINING REQUIRED TO SERVE AS A MEMBER OF THE SUICIDE  
COMPANION PROGRAM AT FCI RAY BROOK, NEW YORK.

*T. Meisner, PsyD.*

T. MEISNER PSYD., CHIEF PSYCHOLOGIST

*January 22, 2016*

DATE



# CERTIFICATE OF COMPLETION



THIS CERTIFICATE HAS BEEN AWARDED TO

**CHAD MARKS (12010-055)**

FOR SUCCESSFUL COMPLETION OF 2-HOURS OF QUARTERLY  
TRAINING REQUIRED TO CONTINUE SERVING AS A MEMBER OF  
THE SUICIDE COMPANION PROGRAM AT FCI RAY BROOK, NY.

*T. Meisner, PsyD.*

**T. MEISNER PSY.D., CHIEF PSYCHOLOGIST**

3/7/2016

**DATE**



3/4/2016

Federal Correctional Institution Ray Brook  
128 Ray Brook Road  
Ray Brook, New York  
12977

**SUICIDE COMPANION PROGRAM – QUARTERLY TRAINING (2 HOURS)**

- A. Addressing Concerns: Scheduling, Review of Confidentiality & General Inquiries – 5 minutes
- B. Mental Health Diagnoses: Preconceived ideas, myths & biases regarding mental illness– 30 minutes
  - a. Categories of Diagnoses
  - b. Over/Underdiagnosis
  - c. Challenging Stigma
- C. Common Diagnoses Presented during Suicide Watch: Diagnostic Features, Prevalance and Behavioral Presentation – 50 minutes
  - a. Antisocial Personality Disorder
  - b. Borderline Personality Disorder
  - c. Major Depressive Disorder
  - d. Dysthymic Disorder
- D. Being Aware of your Personal Biases: The effect your personal expereinces has on your interaction with others – 30 minutes
- E. Assigned Reading for the Next Training: Jumpers – 5 minutes

# *Certificate of Completion*

*This Certificate Has Been Awarded to*

*Chad Marks*

*12010-055*

*For successful completion of 2-hours of training  
following a suicide watch at JCG Ray Brook, New York*

*J. Meinen, PsyD.*

*J. Meinen Psy.D., Chief Psychologist*

*March 17, 2016*

*Date*



**3/17/2016**

FCI Ray Brook  
128 Ray Brook Road  
Ray Brook, New York  
12977

**SUICIDE COMPANION PROGRAM – DEBRIEFING (2 HOURS)**

**A. Review of Inmate Suicides Since the Last Training – 10 minutes**

**B. Issues From Watch - 30 minutes**

1. Location/availability of the schedule
2. Punctuality
3. Effective communication with staff and inmates

**C. Taking a Closer Look at Risk Factors and Protective Factors - 30 minutes**

1. Importance of history
2. Considering acute and chronic factors
3. Focus on impulsivity, agitation and poor problem solving skills

**D. Log Book Entries from Watch – 45 minutes**

1. When you sign in, write and sign your name, include your register number and make an initial observation
2. Make entries at 0:00, 0:15, 0:30 and 0:45 REGARDLESS of when you made your last entry
3. The left column is for the time only
4. Do not skip any lines. There should be an entry on every line of the book
5. Use objective language – state strictly the facts and your direct observations. Avoid assumptions and/or your own personal assessment
6. If you make a mistake, draw a single line through the error and initial

**E. Addressing Questions, Concerns and Recommendations - 10 minutes**



# CERTIFICATE OF COMPLETION

THIS CERTIFICATE HAS BEEN AWARDED TO

**CHAD MARKS**

**12010-055**

FOR SUCCESSFUL COMPLETION OF 1-HOUR OF TRAINING  
FOLLOWING A SUICIDE WATCH AT FCI RAY BROOK, NEW YORK.

*T. Meisner, PsyD*

T. MEISNER PSY.D., CHIEF PSYCHOLOGIST

*February 19, 2016*

DATE

**2/19/2016**

Federal Correctional Institution Ray Brook  
128 Ray Brook Road  
Ray Brook, New York  
12977

**SUICIDE COMPANION PROGRAM – DEBRIEFING (1 HOUR)**

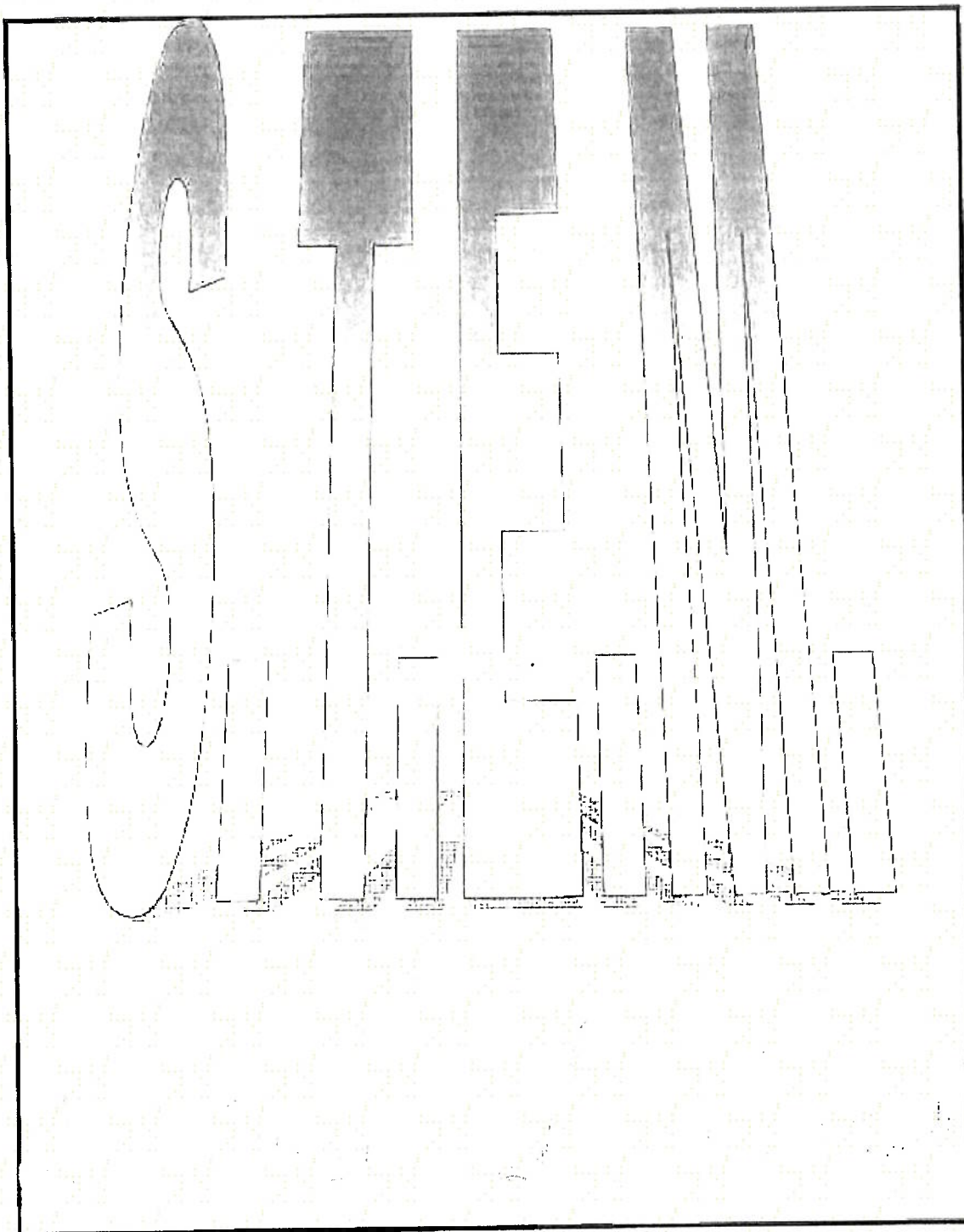
- A. Addressing Issues from Watch: Notification of Watch, Property Sheet and Scheduling- 10 minutes**
- B. Review of the Suicide Watch Log: Appropriate log entries including use of tentative language, making sure all space is accounted for and time requirements – 15 minutes**
- C. Speaking with the Inmate on Watch: Knowing Your Role – 10 minutes**
- D. Weighing Risk and Protective Factors: How a “protective” factor might actually be a risk factor – 10 minutes**
- E. Review of Inmate Suicides from FY 2016: A look at common trends and concerns – 10 minutes**
- F. Suggestions for Future Training – 5 minutes**



**Exhibit F**

**S.T.E.M**





TRULINCS 12010055 - MARKS, CHAD - Unit: RBK-G-A

---

FROM: 12010055

TO: Bachrach, Michael; Gordon, Gordon; Gordon, Jeremy; Hanf, J; Heslep, Thomas; Hopwood, Shon; Jillian, Harrington; Legal, Appeal; Legal, Craig; Parker, Haley; Pat, Patsy; Prisolog, Prisology; Psps, Psps; S, Shannon; Stewart, Julie; Walls, Dawn

SUBJECT: STEM PART 3

DATE: 03/13/2016 03:21:26 PM

STEM

STIMULATE TRAIN EDUCATE MENTOR

1. PURPOSE AND SCOPE: To provide cost - effective (sophisticated) live experiences and digital experiences.
2. SUMMARY OF PROGRAM: The program includes live and electronic field trips to a courtroom, correctional facility, hospital, morgue, college, and businesses. The broader educational objective is to satisfy universal standards of learning through out the states as opposed to a particular educational objective by one school. Additionally, schools may supplement electronic field trips with corresponding DVD's which simulate virtual tours as well as live tours.
3. ACTION: All schools shall ensure each student is able to watch video, ask follow - up questions and discuss the presentation all in one sitting. As to live field trips each student shall be able to ask follow up questions.
4. PROGRAM OBJECTIVES: The expected results of this program are:
  - a. Students will conduct themselves in a manner that creates and maintains respect for the school, the community, and the law.
  - b. Students will avoid situations which lead to delinquency and criminal inclinations.
  - c. Students will comply with school rules and the laws of the United States.

TRULINCS 12010055 - MARKS, CHAD - Unit: RBK-G-A

---

FROM: 12010055

TO: Bachrach, Michael; Gordon, Gordon; Gordon, Jeremy; Hanf, J; Heslep, Thomas; Hopwood, Shon; Jillian, Harrington; Legal, Appeal; Legal, Craig; Pat, Patsy; Prisolog, Prisology; Psp, Psp; S, Shannon; Stewart, Julie; Walls, Dawn

SUBJECT: STEM PART 1

DATE: 03/21/2016 02:04:32 PM

STEM

STIMULATE TRAIN EDUCATE MENTOR

PRISON PREVENTION CLASS

What is in this series and how to use it.

There has never been a series that explored and explained the philosophy that character is everything more clearly and extensively than the STEM model. This is a series that specifically addresses: bullying, peer pressure, anger management, controlling misguided thoughts, and criminal thinking. It was specifically designed to help young people create a more fulfilling life, the life that they deserve, the life that is productive for them and their communities.

The complete series guidance that will help students establish a moment of clarity concerning their purpose in life and establish more positive thought patterns, attitudes, and emotions. They will learn ways to eliminate those negative and destructive feelings and habits that hinder and prevent their progress in living the law - abiding life we want them to have and live. The life - changing concepts in this series are valid and relevant. They form a road map to educate excellence.

President

Chad Marks



TRULINCS 12010055 - MARKS, CHAD - Unit: RBK-G-A

---

FROM: 12010055

TO: Bachrach, Michael; Case, Gun; Gordon, Gordon; Gordon, Jeremy; Hanf, J; Hopwood, Shon; Jillian, Harrington; Legal, Appeal; Legal, Craig; Pat, Patsy; Prisolog, Prisology; Walls, Dawn

SUBJECT: STEM 2

DATE: 03/21/2016 02:07:56 PM

STEM (STIMULATE TRAIN EDUCATE MENTOR)

TRAIN A CHILD IN THE WAY HE SHOULD GO SO THAT WHEN HE IS OLD, HE WILL NOT DEPART FROM IT.

#### ROCHESTER NEW YORK PRISON PREVENTION CLASS CURRICULUM

1. PURPOSE AND SCOPE. To provide a course outline, herein referred to as "PRISON PREVENTION CLASS," to complement those offered in the Rochester area schools.

- a. Student character education
- b. Decision making involving peer pressure
- c. Occupational education
- d. Abuse issues
- e. Drug Abuse
- f. Gang violence

This class relates to all students from 5th grade to 12th grade, including charter and public schools, and to any private organization or club which provides youth-oriented services. Such students need training and awareness - some technical, some advisory, and some a matter of insightful and informed practice that is essential to public safety.

While classes from public and private schools address the general standards of living applicable to students, this class more specifically addresses situations that are especially applicable to at-risk students. It is designed for prevention and intervention purposes.

2. ACTION. All schools should ensure each student receives and completes this class.

3. Program/ Class objectives. The expected results of this class are:

- a. Students will conduct themselves in a manner that creates and maintains respect for their family, their community, and their general well-being.
- b. Students will avoid situations which involve crime, drugs, gangs and violence.
- c. Students will comply with school rules and regulations.
- d. Students will uphold the laws governing their lives.
- e. Students will immediately report any abuse, or apparent peer pressure to their principal or another appropriate authority.

4. DEFINITIONS. For the purpose of this class, the following definitions apply:

A. Rochester Prison Prevention Class (RPPC). The official name of this course.

B. Money and Drug Addiction (MADA). MADA typically will involve assessment/evaluation, treatment, and monitoring/managing components. The assessment/evaluation component of MADA is non-voluntary. Assessment of at-risk behavior will be completed for all students. Behavior treatment is a voluntary component of MADA. The monitoring/managing component of MADA IS NON-VOLUNTARY.

C. Behavioral Modification Plan (BMP). Students with a disruptive behavior while in school, may be subjected to the development of a Behavioral Management Plan (BMP). BMP's with parental approval, may impose relevant restrictions in the interest of ensuring the good order, discipline and safety of the school, and or to protect the public.

D. Risk Relevant Information (RRI). Risk relevant information obtained from students, or obtained about students during the course of their enrollment, is considered to be confidential. Risk relevant information obtained during a student's enrollment may be documented in students' school record, and reviewed in association with formal evaluation procedures utilized in the determination of whether a student meets criteria for the development of a Behavioral Modification Plan.

TRULINCS 12010055 - MARKS, CHAD - Unit: RBK-G-A

-----

E. Conduct During field trips. The time between the beginning and the end of a field trip. The conduct of a field trip begins on the earliest date an authorized official directs that a specific field trip be taken to promote incarceration prevention. These field trips include :

Correctional facilities  
Morgues  
Federal and State Courtrooms  
Hospitals  
Colleges  
Businesses

**5. Money and Drug Addiction (MADA)**

The Mada program is indefinite intense treatment for students who meet the diagnostic criteria for substance abuse or money addiction. It encompasses an evidence - based therapeutic correctional model which seeks cooperation and self - disclosure from a student participant . Selection of participants is based on risk relevant information. Students who successfully complete the class shall be recommended for peer counseling positions.

**6. Behavioral Modification Plan**

Disruptive students will be referred to Behavioral Health Specialists for monitoring. Students will be referred for an assessment of risk and treatment and management needs. life coaches will be assigned to disruptive students and the coaches will aid in the development of viable life plans for each student and situation.

**7. Occupational Education**

Students shall have access to wide range of occupational training lessons which provide the opportunity to obtain lawful market Skills. Course offerings will be based on general crime conditions, community labor force needs, and vocational training needs of each student.

Note: Possible training may include custodial work, which contributes significantly to the operations and Specialists of schools, and community service projects, which provide actual hands - on work experience to the students.

**8. Employment Preparation**

The employment preparation portion of IPC assists students with specific and broad - based preparation for the labor force. Students can learn resume writing, interview skills, job search and retention skills. Mock Job Fairs will provide realistic experiences for those students nearing graduation or quitting altogether.

**9. Field Trips**

Field Trips are considered an essential part of the overall objective. IPC's field trips are designated to achieve the following objectives:

1. Alter behavior.
2. Provide for constructive glimpses into the consequences of crime and violence.
3. Promote lawful and productive lifestyles.
4. Introduce new ideas and behavior patterns.
5. Provide an alternative to crime, drugs, gangs, violence, guns, through highly structured classes.
6. To show youth that with good decisions come greater things in life.

**10. Measurable Goals**

With in several days of assignment in IPC, the students status is reviewed that review the student may attend. After the initial review, every student receives recurring 14 day reviews to ensure all basic necessities are met, including sufficient progression in verbal and nonverbal communication skills. Every 30 days the students status is reviewed at a review the parents may attend.

**11. Monitoring**

PPC also has several incarceration prevention safeguards in place for students at risk. Beyond the School District training that all school officials complete, officials working PPC will also undergo additional supplement incarceration prevention training to ensure they are well trained on risk factors, warning signs, and appropriate responses to students who engage in risky behavior while enrolled in IPC. Students in these situations will be routinely monitored by all officials for any behavioral changes that might indicate risk.





Changing Rochester One Child At a Time \_\_\_\_\_

## **STEM – A DELIQUENCY REDUCTION ORGANIZATION**

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**STEM REPORT**

**DELIQUENCY REDUCTION ORGANIZATION REPORT**

Prepared for Rochester City Leaders \_\_\_\_\_



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**STEM – A Delinquency Reduction Organization**

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**Summary**

STIMULATE TRAIN EDUCATE MENTOR (STEM) will be a collaborative effort among Rochester businesses, faith and community-based organizations, law enforcement agencies, and probation offices. Its mission is to provide career preparation through community corrections, mentoring, job training, and character education that delinquents need to adjust successfully for living in their respective communities.

The overarching goal of STEM is to provide a proactive, principle-centered rehabilitation environment for delinquents seeking to become productive citizens of society, without undue influence from those who are not. Specifically, principle-centered rehabilitation is necessary to deploy and build the collective resources of a newly formed Delinquency Reduction Team (DRT) in order to provide and measure wrap-around services to delinquents who need and seek principle-centered living. STEM will use a targeted process to identify and select delinquents seeking specialized and/or technological skills. In the targeted process, STEM will ensure that applicants meet eligibility requirements for apprentice and marketable skills training. It will also, with assistance from the Delinquency Reduction Team, identify the services needed by delinquents and solicit applicants who desire training in mentoring, childcare, transportation, housing, job skills development, life skills, education, financial management, and other primary-needs areas. The selection process will contain reporting requirements and deadlines, which will be reiterated and agreed on before a placement is made. Notice of the availability of placement assignments will be announced publicly. It will also be published on the Internet and on Community Bulletin Boards. STEM staff and other participants of the Delinquency Reduction Team will meet with probation department and school representatives and others to learn of those in need of the STEM training.

In order to effectively carry out President Obama's "My Brother's Keeper" initiative and provide work and other self-improvement opportunities to assist delinquents in becoming law-abiding citizens, at times it is necessary to provide principle-centered programming. It is important to note that at the middle level, a key subset of poor students are drug or weapon offenders, some have a history of violence, some have been sanctioned for violating school rules, and some of the delinquents in this population have very pathetic attendance records. But only a very small subset of RCS's pupils is provided principle-centered programming at any point in time. The vast majority of our delinquents dwell in general ghettos that offer minimal principle-centered programming, which is a setback.

STEM will provide a forum for collaboration among businesses, nonprofits, faith-based organizations, and government agencies to coordinate the resources and services that promote self-sufficiency. STEM is modeled on a successful pilot life skills development initiative. This initiative relates to federal prisoners. High security level federal prisoners have successfully moved along progressively higher-skills career tracks in a high security level correctional environment where system-wide delinquents have sentences in excess of 12 years, 71 percent

### **STEM – A Delinquency Reduction Organization**

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have been sanctioned for violating prison rules, and more than 87 percent have a history of violence. (One out of every six delinquents at high security institutions is gang affiliated, according to the Federal Bureau of Prisons.)

Performance outcomes for STEM will include the examination of variables affecting the central issues of Delinquency and societal benefit. In the assessment of Delinquency such variables will include a comparative analysis of 1) repeated delinquency (broken down by crime severity and time-to-crime information), 2) completion of program training and/or treatment, and 3) compliance with supervised career rules. An examination of societal benefit outcomes will include 1) employment (e.g. attendance, retention and changes in wages), 2) conduct (e.g. delinquency reports after enrollment), 3) family dynamics (e.g. reconnection with siblings, parental support), and 4) amends.

#### **Rochester Delinquency Assessment**

- Delinquents who participate in the Incarceration Prevention Class will be less likely to be disruptive than similar non-participating delinquents.
- Delinquents who participate in vocational or occupational training will be less likely to be disruptive.
- Delinquents who participate in character education programs will be less likely to be disruptive.
- Delinquents who complete the Rochester drug abuse treatment program will be less likely to be disruptive and less likely to relapse to drug use within 3 years after program.



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**STEM – A Delinquency Reduction Organization**

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**Statement of Need**

Rochester has long been known as a place of prosperity, of hard working community members. Though our city has no control over the number of juveniles who become delinquent, in Monroe County in 2009, 192 youths were placed in local and state facilities. That was more than Erie (127) and Onondaga (22) counties combined. Rigorous research has demonstrated that both increased juvenile incarceration is expensive. Also, in 2009 New York state paid \$210,000 per placed child annually. The average yearly cost of residential care per child in Monroe County's custody \$112,628. In Monroe County judges have sent away more juvenile delinquents and persons in need of supervision (PINS) to secure and nonsecure facilities than Buffalo's Erie County and Syracuse's Onondaga County combined. Monroe County is also more likely to keep them for a time in a local detention, rather than release them to their families, before cases come to court. And among the 10 counties that place the most juvenile delinquents in state custody, according to a study of New York's juvenile justice system, Monroe leads in disproportionately placing African-Americans. While the City of Rochester continues to provide a variety of delinquency intervention and prevention programs such as substance abuse treatment, education, occupational/vocational training, faith-based programming, and cognitive-behavioral therapy programs, in 2012, the number of PINS – the term used for someone younger than 18 who doesn't go to school, is beyond a parent or guardian's control, or who uses drugs, who were placed in the custody of the county's Department of Human Services', spiked by 54 percent in 2008.

In 2012, your chance of becoming a victim of crime in Rochester was one in sixteen. That year Rochester had 2,061 reported violent crimes per 100,000 residents, compared to a national rate of 553.5[32]. In addition, Rochester had 827 personal crime incidents and 11,054 property crime incidents per 100,000 residents. Even before the recent and dramatic rise in crime and violence, it was difficult to ameliorate the many barriers faced by juvenile delinquents because Rochester reported 36 murders (17.1 per 100,000 people), 95 sexual assaults, 816 robberies, 1,104 aggravated assault, 2,798 burglaries, 7,694 larceny thefts, 111 forcible rape, 622 auto thefts and 152 arson.

Juvenile delinquents need mentoring to build law-abiding lives, but when engaged in antisocial activities often have little or no, support from family or friends, no housing, no transportation, work history, or healthcare; they have limited education and training and few workplace-appropriate skills. Often, they are addicted to drugs or alcohol, suffer from mental illness, or have other difficulties socializing, and most are unaware of the availability of useful resources and programs in their respective community.

As of November 2015, there were over 40 murders in Rochester.

For many years, many small and large faith-and community-based organizations have grappled by themselves with the issues surrounding juvenile delinquency. STEM will approach and help them identify and address shared problems and solutions. Together, we will form a Delinquency

**STEM – A Delinquency Reduction Organization**

Reduction Team, a collaborative effort to develop a new system for assisting delinquents in building law-abiding, self-sufficient lives after delinquency.

Realistically, the city of Rochester cannot afford to ignore the problem of juvenile delinquency. Juvenile delinquency robs the nation of income taxes; increased or repeat crimes cost victims, law enforcement, courts, and the larger community; and the cost of incarceration robs the city and state of scarce resources. The cost of incarceration exceeds the cost of assistance that might prevent it.

Neither can the city of Rochester, afford to neglect some of the most dangerous and disruptive delinquents that reside within the metropolis. STEM is designed to assist juvenile delinquents in modifying behavior that has proven to be confrontational resistant to authority and disregardful of city, county, state, and federal laws – behavior that could be rehabilitated, under the new Stimulate Train Educate Mentor model, among delinquents while they are still young.



**STEM – A Delinquency Reduction Organization****STIMULATE TRAIN EDUCATE MENTOR****ORGANIZATION PARTICIPANT REQUEST AND AGREEMENT FORM***City of ROCHESTER***Applicant Information (to be completed by participant):**

Name:	Register Number:
Unit:	

On a separate sheet, please state why you wish to join the program.

**PROGRAM AGREEMENT****For STEM**

I understand that I am responsible for:

- Knowing the Bylaws and Constitution, mission, goals, and schedules for my principle-centered programming;
- Attending all scheduled sessions that are assigned to me. Should I leave prior to the conclusion of the session, without permission, this will be grounds for expulsion;
- Completing all assignments on time;
- Participating actively in group sessions. Examples of active participation include appropriate self-disclosure and providing feedback to others;
- Working on the goals/objectives of my career preparation program;
- Being attentive during all individual and group sessions;
- Keeping confidential all information discussed in group;
- Following the STEM rules and regulations. If I incur a delinquency report because I have failed to follow rules and regulations, I may be expelled from the program;

I give permission for STEM sponsors and city contractors to access program-related personal information. I understand this information will be used solely in conjunction with the STEM Program initiative and not for any other purpose.

I have read, or have had this document read to me, and I understand and agree to the Bylaws and Constitution for participation in the STEM Delinquency Reduction Program.

Juvenile ( <i>Printed Name</i> )	Register Number
Juvenile Signature	Date
Program Coordinator ( <i>Printed Name</i> )	Date
Program Coordinator Signature	

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**STEM – A Delinquency Reduction Organization**

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**STIMULATE TRAIN EDUCATE MENTOR**

**VISION**

*STEM is a premier principle-centered organization educating delinquents to be law-abiding citizens and leaders.*

**MISSION**

STEM prepares participants to become community assets, critical thinkers, effective communicators, and responsible leaders by providing academically challenging, principle-centered programs from the context of focusing on families and communities.

STEM is designed to prepare participants with the character and knowledge needed to be a difference maker in the world. Participants are challenged to develop these tools and to expand their intellectual boundaries in order to become successful in their pursuits.

In addition, the program fosters character development so that participants realize within themselves the elements of contrition and accountability. A uniquely important element of the STEM mission statement is the defining attribute of its focus on families and communities. STEM defines its impact by the way its participants reflect a commitment to self-improvement and creates the STEM experience in a manner that reflects integrity to support participants through a successful life journey.

These normative principle-centered values are integral to the development, maturity, and education of ethical and morally respectable individuals who continue on the path of infinite learning. Each element or objective of the STEM mission statement is uniquely addressed in the STEM program and by the STEM impact, which shapes a rich learning environment from which participants are prepared with principles and purpose.

When participants are prepared, our expectations are that they will be community assets, critical thinkers, effective communicators, and responsible leaders.



**STEM – A Delinquency Reduction Organization**

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**STIMULATE TRAIN EDUCATE MENTOR  
PROGRAM EXPECTATIONS**

**COMMUNITY ASSETS**

*The successful person has the habit of doing things failures don't like to do.*

– E.M. Gray

Community assets are people who learn with commitment, unselfishness, and perseverance.

**CRITICAL THINKERS**

*We are what we repeatedly do. Excellence, then, is not an act, but a habit.*

– Aristotle

Critical thinkers are people who work to master clarity and logic in thought by asking questions and pursuing knowledge to avoid misunderstanding and misguided acceptance of ideas to reduce vulnerability, and to work to find solutions rather than dwell on problems.

**EFFECTIVE COMMUNICATORS**

*That which matter most must never be at the mercy of things, which matter least.*

– Goethe

Effective communicators are people who work toward and develop excellence in proficient language use, understand how the spoken word impacts others intellectually and emotionally, and are challenged to employ new venues or modes of communication.

**RESPONSIBLE LEADERS**

*Management is doing things right; leadership is doing the right things.*

– Peter Drucker and Warren Bennis

Responsible leaders are people who are rooted in the reality of the world, accept the consequences of choice, and strive unselfishly to help others meet their highest potential through principled leadership.

**STEM – A Delinquency Reduction Organization**

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**STIMULATE TRAIN EDUCATE MENTOR  
DELINQUENCY REDUCTION TEAM  
MISSION STATEMENT**

*We are committed to providing a protected, educational environment for delinquents to live safely and effectively achieve their rehabilitation program goals.*

**FOUNDATIONAL BELIEFS**

1. Character is a key component to ensuring the safe and successful implementation of our program.
2. Career preparation begins at initial commitment and continues throughout rehabilitation.
3. Management is a responsibility. It is built on a foundation of leadership, labor, and legitimacy.
4. Juvenile Delinquency will be reduced through participation in community and public Career Preparation Programs and contact with community resources.
5. Successful adjustment within the community requires early identification of the Juvenile's career needs and the development of a comprehensive societal and community-based plan to meet those needs.

**ROLE OF STEM**

1. **Health and nutrition.** The *Arts & Entertainment Committee* will work with Parks & Recreation staff to provide holistic health and physical fitness courses.
2. **Employment.** The *Education Committee* will work with Rochester School Board to provide career preparation and personal finance/consumer courses.
3. **Information/community resources.** The *Rehabilitation Affairs Committee* will work with STEM Team members to provide personal growth and development courses.
4. **Equal Opportunities.** The *Hispanic Affairs Committee* will work with all agencies to ensure equal programming opportunities are available.



# STIMULATE TRAIN EDUCATE MENTOR

## MISSION STATEMENT

*We enable greatness in individuals and make proactive leaders.*

## FOUNDATIONAL BELIEFS

1. **People** are inherently capable and able to change. We have the power to be positive.
2. **Integrity** is timeless and teachable. It is the foundation for principle-centered living.
3. **Leadership** is a responsibility. It is built on dignity, discipline, and determination. Great leaders inspire people to do the right thing at the right time and for the right reason.
4. **Health habits** come only from the committed practice of being respectful, responsible, and reliable.
5. **Structured living** requires optimism – optimism is a focus on achieving favorable outcomes and on setting positive examples.

## VALUES

1. **Commitment to Change.** We are passionate about our potential to produce positive results, and strive to be models of the principles and practices of the
2. organization.
3. **Lasting Societal Impact.** We are relentless about refocusing our energy towards our families and our future.
4. **Respect for Everyone.** We value each other and treat each human being with whom we encounter as we wish to be treated.
5. **Personal Growth.** We embrace productivity and growth as the lifeblood of our organization. They give us the will to fulfill our mission and vision.

**STEM – A Delinquency Reduction Organization**

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**STIMULATE TRAIN EDUCATE MENTOR**

**STATEMENT OF PRINCIPLES**

*The purpose of this statement is to outline the principles for which STEM shall be organized, and the roles of active participants in this Delinquency reduction organization.*

**STIMULATE:** WE listen and learn so we can lead and teach by example.

**TRAIN:** WE strive to devote our time, talents, and tasks to our training.

**EDUCATE:** WE embrace educational empowerment and positive growth and development.

**MENTOR:** WE organize to live with integrity and to make a difference in the lives of others.

*These rules take priority in achieving our mission:*

**Change Agent** – We are committed to being the change we seek to see.

**Knowledge Seeker** – We aim to learn important new things everyday.

**Brother's Keeper** – We will be available *always* for advice and support.

**Role Model** – We will conduct ourselves in a way that can be positively imitated by others.



**STEM – A Delinquency Reduction Organization**

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## **GOALS AND STRATEGIES**

STEM will pursue the following goals and strategies:

**Focus on fostering personal growth and responsibility.** STEM shall provide assistance to delinquents to make amends to their communities and their families using experienced outcome-based objectives by focusing on principle-centered living.

In general, STEM shall:

1. Draw on participants' value system, special emphasis on violent offenders, to trigger a sense of guilt for past wrongs.
2. Help them to take responsibility for their offenses.

### **STEM Dual Objectives**

- Through principle-centered programs which identify and meet the needs of participants, participants will demonstrate improved societal adjustment.
- Working closely with various local and state organizations dedicated to crime prevention, control, or reduction, the rate of delinquency will be reduced.

## **STEM IMPLEMENTATION**

In accordance with the overall strategic direction of the City of Rochester, STEM Staff Sponsors shall:

1. Develop strategic program guidance, joint planning objectives, and identify societal initiatives needed to ensure the future availability of resources in support of City of Rochester/STEM policies.
2. Develop metrics to measure compliance and effectiveness of STEM training, awareness, prevention, and intervention response policies and programs. Analyze data and make recommendations regarding STEM policies and programs to city officials.
3. Collaborate with agencies that address STEM issues and serve as liaison to them as appropriate. Strengthen collaboration on societal policy matters with City Council and School Board on the issues of providing rehabilitation programs designed to address critical problems of crime, violence, and reduction of narcotic addiction.

**STEM – A Delinquency Reduction Organization**

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## **SUPPORTING GOALS AND STRENGTHS**

STEM shall implement a preventative, proactive, transformative strategy, which consist of six components:

1. Provide opportunities for development and maturation
2. Foster a commitment to normative values and responsibilities
3. Modify behavior patterns
4. Offer scheduled organizational-sponsored value-based programs
5. Allow for reflection (special emphasis on violent offenders), direction, and counseling
6. Use journals and personal reflection to develop personal growth

## **EDUCATIONAL COMPONENT**

- Track-specific study materials
- Interpersonal curriculum
- Societal Mentoring Component
- Relationships with multi-cultural groups
- Mentoring guidelines
- Periodic meetings, with additional meetings determined in accordance with programming needs
- Civil service component
- Frequent periods of civil service

## **RESPONSIVENESS**

- A. Provide enough mentoring support so that younger delinquents can be motivated to do their best. Mentors must aim to understand what the young delinquents are all about.
- B. Match young delinquents with mentors. Mentors shall provide the time and opportunity for a relationship to develop during the duration of STEM. The mentor should be available to provide information and answer questions that the young delinquents may have about STEM.



## **STEM – A Delinquency Reduction Organization**

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### **STAFF TRAINING**

The STEM Program Coordinator and Organizational Officers will receive training, focusing on the interdisciplinary approach governing the organization. Training also provides:

- A review of the STEM mission and statement of principles
- Program implementation requirements
- Instructional skills and materials

### **CURRICULUM DESCRIPTION**

STEM participants participate in the following curriculum tracks that promote positive values and responsibilities:

1. Principle-Centered Track
2. Opportunities to develop and adopt a code of positive principles and morals
3. Create and establish decision-making strategies consistent with personal code of conduct
4. Improve societal adjustment
5. Reduce Delinquency rates
6. Cultivate career-readiness

### **STEM PROGRAM STRUCTURE**

1. Program participants. The number of participants shall not exceed the maximum capacity of the program site.
2. Multi-Track makeup. STEM is designed for delinquents seeking a foundation in principle-centered values and responsibilities, with special emphasis on violent offenders. Delinquents who request to be a member of STEM are accommodated in broad tracks sharing common goals and aspirations.
  - Specific ethnic groups represented in an enrollment will vary, depending on the neighborhood district. Disagreement with group assignments or group mates will be addressed with an immediate expulsion from the organization.
3. Schedule for Program Activities. STEM involves varied daytime and evening programming, as well as weekend activities.
  - Participants will have daytime/evening and weekend programming, which involves special activities with, mentors, multi-cultural program activities, and educational-specified components. Participants are encouraged to participate in scheduled activities with the mentors, sponsors, and volunteers for character education and values enhancement, in accordance with their education, leisure time activities, job assignments, etc.
  - Participants work/study/reflect together in small groups in accordance with the objective of their specific rehabilitation needs.

**STEM – A Delinquency Reduction Organization**

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## **STEM PROGRAM REFERRAL**

1. Delinquents who volunteer for STEM submit a request to the program coordinator and participate in a self-directed three-session orientation program:
  - Session 1: Overview of STEM
  - Session 2: Feedback and exploration of STEM
  - Session 3: A private interview with the Program Coordinator (PC) regarding organizational principles
2. Additionally, delinquents who volunteer for STEM submit a completed application packet to the Delinquency Reduction Team. Upon identifying a Juvenile as eligible, the DRT contacts the appropriate staff member for program placement. While considering a Juvenile for referral, appropriate policies and procedures for societal readjustment will be followed. The Delinquency Team submits a referral packet, including:
  - STEM Participation and Agreement Form
  - An up-to-date Report on the delinquents needs.
3. The PC reviews applications and recommends enrollment of qualified applicants to the pilot site. Upon the PC's approval, the Juvenile may be admitted. A copy of the completed application packet is forwarded to the DRT.



**STEM – A Delinquency Reduction Organization**

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## **DELINQUENCY REDUCTION ORGANIZATION GOALS & STRATEGIES**

### **GETTING STARTED**

- **Encouraging Collaboration Among Key Stakeholders**  
STEM will engage key stakeholders in joint ventures surrounding delinquent rehabilitation and through the utilization of a Delinquency Reduction Team (DRT) will focus attention on particular aspects and issues of rehabilitation.
- **Developing a Knowledge Base**  
To effectively understand the nature and scope of local rehabilitation issues, STEM will develop familiarity with national resources, the characteristics of at risk delinquents, and the resources and capacities of the communities to which delinquents live.

### **ADDRESSING CORE CHALLENGES**

- **Incorporating Rehabilitation into Organizations' Missions and Work Plans**  
STEM will strive to proactively change cultures of criminal justice, education, health, and human services organizations so that administrators of these entities recognize that their mission includes the safe and successful adjustment of delinquents to the communities in which they live.
- **Promoting Systems Integration and Coordination**  
Utilizing current City efforts, STEM will promote the integration of systems sufficient to ensure continuity of care, supervision, and effective service delivery.
- **Measuring Outcomes and Evaluating the Impact of a Delinquency Reduction Organization**  
STEM will employ processes and outcome evaluation methods to bring clarity to the organization's mission, goals, and public value, as well as to assess and improve program implementation, efficiency, and effectiveness.
- **Educating the Public About the Rehabilitation of at Risk Delinquents.**  
Through myriad collaborations, STEM will educate the public about the risks posed by and the needs of the rehabilitation population, and the benefits of successful initiatives to public safety and the community in general.

**STEM – A Delinquency Reduction Organization**

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**REVIEW OF THE REHABILITATION PROCESS:**

**FROM ADMISSION TO THE PROGRAM TO  
ADJUSTMENT TO THE COMMUNITY**

**ADMISSION TO THE PROGRAM**

- **Development of Intake Procedure**  
STEM will establish a comprehensive, standardized, objective, and validated intake procedure that, upon the admission of the Juvenile to the organization, can be used to assess the strengths, risks and needs that the individual presents.
- **Implementation of Programming Plan**  
STEM will develop, for each person admitted, an individualized plan that, based upon information obtained from the assessments, explains what programming should be provided during the period of rehabilitation to ensure that his or her adjustment to the community is safe and successful.

**INSTITUTION-BASED PROGRAMMING**

- **Mental Health Care**  
STEM will work collaboratively to facilitate access to mental health delivery systems during rehabilitation and upon community integration to promote delivery of services consistent with community standards.
- **Substance Abuse Treatment**  
STEM will work collaboratively to provide effective substance abuse treatment to anyone who is chemically dependent.
- **Children and Families**  
In collaboration with community partners, STEM will make available services and supports for family participants and children of delinquents, and, when appropriate, help to establish, re-establish, expand, and strengthen relationships between delinquents and their families.
- **Behaviors and Attitudes**  
Through the creation and implementation of structured curriculum-based programming models, STEM will provide cognitive behavioral therapy, peer support, mentoring, and basic living skills programs that improve delinquent behaviors, attitudes, motivation, and ability to live productively, succeed in the community, and maintain a crime-free life.
- **Education and Vocational Training**  
STEM will teach delinquents functional, educational, and vocational competencies based on employment market demand and public safety requirements.
- **Work Experience**  
STEM will provide delinquents with opportunities to participate in work assignments and skill building programs that build toward successful careers in the community.



**STEM – A Delinquency Reduction Organization**

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## **MAKING THE CAREER DECISION**

- **Career Resources**  
STEM will ensure that delinquents who it is determined pose a risk of delinquency are provided some form of community support; use the results generated by a validated risk assessment instrument, in addition to other information, to inform the level and duration of support.

## **MANAGING THE KEY TRANSITION PERIOD**

- **Housing**  
STEM will facilitate a person's access to stable housing upon his or her rehabilitation.
- **Planning Continuity of Care**  
STEM will prepare community-based health and treatment providers, prior to their completion of the program, to receive that person and to ensure that he or she receives uninterrupted services and supports upon his or her adjustment to the community.
- **Creation of Employment Opportunities**  
Through national partnerships, STEM will promote, where appropriate, the creation of job opportunities for this population that will benefit communities.
- **Workforce Development and the Transition Plan**  
STEM will connect delinquents to employment services before their completion of the program.
- **Victims, Families, and Communities**  
Utilizing existing City collaborative partnerships, STEM will prepare family participants, victims, and relevant community participants for the delinquents' adjustment to the community. It will provide them with protection, counseling services and support, as needed and appropriate.
- **Identification and Benefits**  
Utilizing existing City collaborative partnerships, STEM will ensure that all participants have the appropriate forms of identification and that those eligible for public benefits receive them immediately upon their adjustment to the community.

## **ELEMENTS OF EFFECTIVE SOCIAL SERVICE SYSTEMS**

- **Housing Systems**

### **STEM – A Delinquency Reduction Organization**

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In an advisory capacity, STEM will facilitate the development of affordable rental housing, maximize the use of existing housing resources, and identify and eliminate barriers to the development, distribution, and preservation of affordable housing.

- **Workforce Development Systems**  
In an advisory capacity, STEM will equip all jobseekers with the skills needed for self-sufficiency and business prosperity.
- **Substance Abuse Treatment Systems**  
In an advisory capacity, STEM will ensure the availability of effective substance abuse treatment services.
- **Mental Health Care Systems**  
In an advisory capacity, STEM will ensure that individualized, accessible, integrated, and effective community-based mental health treatment services are available.
- **Children and Family Systems**  
STEM will support interagency efforts to enhance child welfare and other human service programs supporting children and families; increase coordination among criminal justice, workforce, and human service systems; and expand the capacity of community-based programs serving children and families.
- **Physical Health Care Systems**  
STEM will increase positive health outcomes, reduce cost, and reduce the transmission of communicable diseases by improving access to and raising the quality of existing public and private health care by educating delinquents about personal wellness.



## **STEM – A Delinquency Reduction Organization**

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### **GENERAL STANDARD OF CONDUCT**

While STEM is voluntary, STEM expects all participants to conduct themselves in such a manner that their activities will not discredit themselves or STEM:

Participants shall:

- A. Conduct themselves in a manner that creates and maintains respect for STEM, the City of Rochester, and the public.
- B. Avoid any action, which might result in, or create the appearance of adversely affecting the confidence of the program and the integrity of the organization.

### **PERSONAL CONDUCT**

It is essential to the orderly running of any activity that participants conduct themselves appropriately. The following are some types of behavior that cannot be tolerated in STEM:

- A. **Disruptive Conduct.** Disruptive conduct is strictly prohibited at any time. Use of profane or abusive language is prohibited. Participants shall be subject to expulsion if found to have committed a prohibited act.
- B. **Inappropriate Contact with Staff or Volunteers.** Participants may not become emotionally, physically, or inappropriately involved with staff or volunteers. Staff and volunteers shall maintain therapeutic relationships with the participants in accordance with their respective codes of professional conduct and responsibility.

### **MENTORING**

**Mentoring.** A trained mentor is matched with each participant to:

- Reflect on issues of brokenness and healing
- Model appropriate societal behaviors
- Help develop a maintenance plan for healthy and productive living

**Partnership with the Local and State Community.** This partnership is designed to help the mentee become career-ready. It begins during the outset of STEM and intensifies upon career as the mentees transition to their respective communities.

A mentor may not show favoritism or give preferential treatment to one delinquent, or a group of delinquents, over another.

- Mentors shall conduct themselves in a manner, which will not be demeaning to mentees, fellow mentors, or others.
- Mentors shall have the mentees facilitate a training session, in the likeness of a cultural diversity workshop, where the mentees will teach the mentors how to best identify with them, understand their jargon, and interpret behaviors to resolve misunderstandings.

## **STEM – A Delinquency Reduction Organization**

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- Mentors shall be clear with the mentees about the expectations, responsibilities and practical details of the role the mentor is inviting them to take on.
- Mentors shall use model mentees to attract other mentees.

## **EXPULSION**

The PC, after receiving a recommendation from the STEM Review Committee, makes the final decision regarding a member's expulsion.

1. Violation of organizational Bylaws or City regulations as determined by the STEM Review Committee or City Court.
2. Failure to meet other requirements, such as disruption to the orderly running of STEM activities.

**NOTE:** Participants expelled from STEM are ordinarily ineligible for reinstatement.

## **ORGANIZATIONAL EVALUATION**

STEM will evaluate the organization's effectiveness by comparing organizational compliance before, during, and after implementation.

- a. **Duration.** There will be a one-to-five year follow-up on participants who complete the program to evaluate the impact of Delinquency rates and societal adjustment.
- b. **Follow-up Study.** Where feasible, a follow-up study will be conducted after completion with the member to measure the effectiveness of support received during the transition process. The follow-up assessment will provide information on the rate of relapse, and will help identify the most effective methods used by STEM.

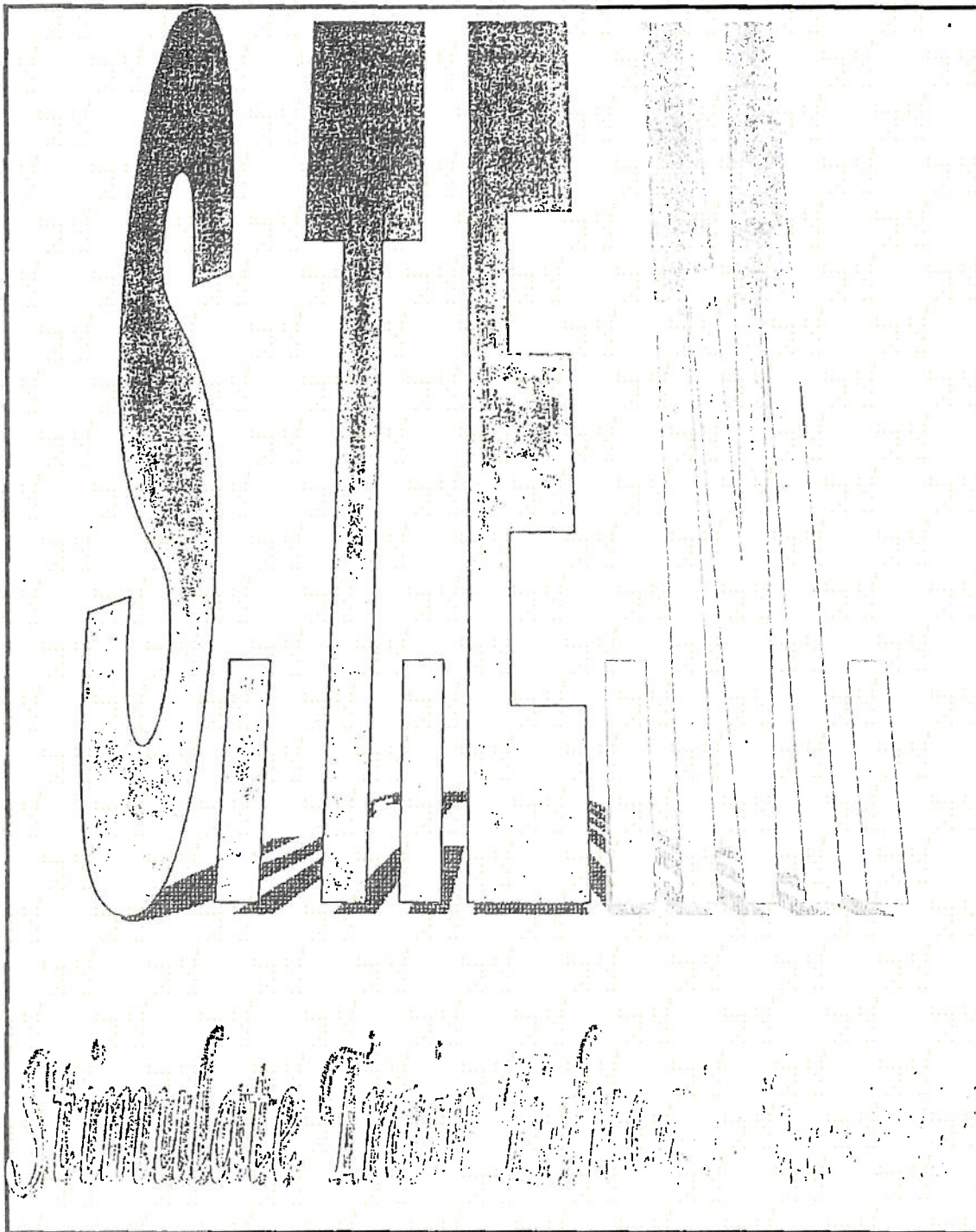
## **ORGANIZATIONAL RESOURCES**

The City of Rochester will allocate start-up resources for STEM. The PC will delegate staff supervision.



STEM – A Delinquency Reduction Organization

# BYLAWS & CONSTITUTION FOR ROCHESTER



**STEM – A Delinquency Reduction Organization**

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## **ARTICLE I**

### **NAME & OBJECT**

#### **Section 1 – Name**

The name of this organization shall officially be Stimulate Train Educate Mentor (STEM).

#### **Section 2 – Purpose and Aim**

The purpose and aim of STEM shall be to improve the educational, social and mental health status of all program participants.

## **ARTICLE II**

### **RANKING MEMBERS**

The ranking members of STEM shall be a Community Coordinator, and assistant Community Coordinator, a Secretary, and an Assistant Secretary.

#### **Section 1 – Community Coordinator**

The Community Coordinator shall have the responsibility of presiding over the overall day-to-day operations of STEM and shall be the Chairman of all Committees.

Other duties of the Community Coordinator shall be:

- A. To nominate Chairpersons and members of all committees.



- B. Between meetings of the Ranking Members and General Membership, to exercise general executive authority on behalf of STEM, subject to approval by the Chief Staff Sponsor.
- C. To serve as an ex-officio member of all committees.

#### Section 2 – Assistant Community Coordinator

The Assistant Community Coordinator shall assist the Community Coordinator and shall have all other responsibilities as delegated by the Community Coordinator and/or Chief Staff Sponsor.

#### Section 3 – Secretary

The Secretary shall have the exclusive responsibility of efficient record keeping duties of STEM and such other responsibilities as deemed necessary as delegated by the Community Coordinator, Assistant Community Coordinator or Chief Staff Sponsor.

Other duties of the Secretary shall be:

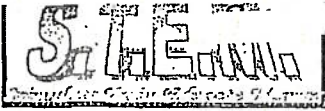
- A. To give notice of all meetings of the Organization and Ranking Members.
- B. To aid, coordinate and integrate the work of the organization's committees.
- C. To submit reports to the General Membership and the Ranking Members at all regular meetings, or whenever required by either body, covering the status of the Organization and its activities since the date of the last report.
- D. To keep the Community Coordinator and Chief Staff Sponsor informed of all events affecting the interests of STEM.

#### Section 4 – Assistant Secretary

The Assistant Secretary shall assist the Secretary and shall have all other responsibilities as delegated by the Secretary, Community Coordinator and/or Chief Staff Sponsor.

## ARTICLE III





## **COMMITTEES**

### **Section 1 – Arts & Entertainment Committee**

The Arts & Entertainment Committee shall provide recreational and social programming, host contests, talent shows, and coordinate culturally diverse tournaments.

### **Section 2 – Education Committee**

The Education Committee shall assist the Education Department with the following: GED tutoring, Career Preparation Classes, and all other necessary classes, programs, or events.

### **Section 3 – Events Coordination Committee**

The Events Coordination Committee shall set up all the STEM events, as well as maintain order.

### **Section 4 – Hispanic Affairs Committee**

The Hispanic Affairs Committee shall address the rehabilitative needs of the Hispanic membership, and coordinate programs that will provide Hispanic members with the same opportunities as Non-Hispanic members.

### **Section 5 – Rehabilitative Affairs Committee**

The Rehabilitative Affairs Committee shall address the rehabilitative needs of the membership, and coordinate programs that will provide members with the opportunity to better prepare themselves for the future.

### **Section 6 – Committee Composition**

Each committee established under these rules shall elect a Chairman, Vice Chairman, and Secretary from its ranks. Committee membership shall not exceed seven (7) members. Any member can submit a written request to participate in a particular committee after declaring to actively participate in good faith and adhering to applicable rules.

### **Section 7 – Duties and Procedures**



The duties and procedures shall be:

- A. Each committee shall consider all submitted proposals in a full, fair, and deliberate manner.
- B. Each committee may adopt procedures and rules, consistent with these laws, for the operation of the committee and execution of its duties.
- C. If a committee reaches a consensus on a matter at the conclusion of its functions, it shall issue a report and findings to be routed to the Community Coordinator.

## ARTICLE IV

### MEETINGS

#### Section 1 – Meetings, Dates & Times

Specific committees shall reserve the privilege to request meeting dates and times for its respective members in an effort to fulfill its duties. All meetings shall be conducted in accordance with the “Robert’s Rule of Order” and all other applicable standards that promote the democratic process.

#### Section 2 – Proposals

All proposals must be properly formatted with: Objective, Purpose, Date, Time, Place, and Itinerary.





## ARTICLE V

### QUORUM

#### Section 1 – Meetings

The quorum of all committees shall be less than three (3) of the committee's total members.

#### Section 2 – Order of Business

Unless altered or suspended at any meeting by a Ranking Member, the following shall be the order of business at meetings:

- A. Ascertainment of members present.
- B. Reading of minutes of previous meeting.
- C. Progress reports.
- D. Nominations.
- E. Unfinished business.

New Business – Rules of procedure as laid down in Robert's Rules of Order shall govern STEM except as otherwise herein provided.

## **APPENDIX**

### **STEM ORGANIZATION - MISSION STATEMENT**

The mission of STEM is to direct the energy and talents of its members into positive pursuit, while aiding in their growth process, thus making them employment ready and productive members of their communities.

### **COMMITTEE PRIORITIES**

Foster structured programs in the following areas:

- Employability Classes
- Mentoring Groups
- Leadership Groups
- Substance Abuse Groups
- Community Service Projects

### **ARTS & ENTERTAINMENT COMMITTEE - MISSION STATEMENT**

The mission of the Arts & Entertainment Committee is to help members channel their energy and talents into constructive pursuit, In accordance with the overall strategic direction of STEM, the committee will achieve its mission through outreach, responsive recreational and inspirational programming, and multiple delivery systems.

### **COMMITTEE PRIORITIES**

- Provide Recreational and Social Programs
- Host Contests
- Host Talent Shows



- Coordinate Culturally Diverse Tournaments

#### **EDUCATION COMMITTEE - MISSION STATEMENT**

The mission of the education Committee is to promote lifelong learning by educating minds in order to bring high quality educational opportunities to a diverse membership. In accordance with the overall strategic direction of STEM, the committee shall achieve its mission through outreach, responsive educational programming, and multiple delivery systems.

#### **COMMITTEE PRIORITIES**

- GED Tutoring
- Career Preparation Classes
- Coordinate Culturally Diverse Activities

#### **EVENTS COORDINATION COMMITTEE - MISSION STATEMENT**

The mission of the Events Coordination Committee is to set up all events and activities. In accordance with the overall strategic direction of STEM, the committee shall aid and assist all Committees with the preparation and setting up of the following: seating arrangements, sound equipment, and other areas of need considered necessary by the event Chairman.

#### **COMMITTEE PRIORITIES**

- Provide Order
- Ensure Timeliness

#### **HISPANIC AFFAIRS COMMITTEE - MISSION STATEMENT**

The mission of the Hispanic Affairs Committee is to help meet the needs of Hispanic members in order to ensure equal opportunity for success. In accordance with the overall strategic direction of STEM, the committee shall address Hispanic needs through outreach, responsive motivational and inspirational programming efforts, and multiple delivery systems.

#### **COMMITTEE PRIORITIES**

- Create Collaborative Partnerships
- Host Bilingual Events
- Coordinate Culturally Diverse Outreach Programming Efforts
- Coordinate Personal Development Workshops and Classes

#### **REHABILITATIVE AFFAIRS COMMITTEE - MISSION STATEMENT**

The mission of the Rehabilitative Affairs Committee is to help meet the rehabilitative needs of members in order to ensure they are prepared for successful community living. In accordance with the overall strategic direction of STEM, the committee shall address rehabilitative needs through outreach, responsive motivational and career preparation classes, groups and programs, and multiple delivery systems.

#### **COMMITTEE PRIORITIES**

- Create Collaborative partnerships
- Host Mock Job fairs
- Coordinate Culturally Diverse Outreach Programs
- Coordinate Employability Workshops and Classes



## **STEM ORGANIZATION - MISSION STATEMENT**

The mission of STEM is to direct the energy and talents of its participants into positive pursuit, while aiding in their growth process, thus making them employment ready and productive participants of their communities.

## **COMMITTEE PRIORITIES**

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- Provide Recreational and Social Programs
- Host Contests
- Host Talent Shows
- Coordinate Culturally Diverse Tournaments

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The mission of the Education Committee is to promote lifelong learning by educating minds in order to bring high quality educational opportunities to a diverse membership. In accordance with the overall strategic direction of STEM, the committee shall achieve its mission through outreach, responsive educational programming, and multiple delivery systems.

### **COMMITTEE PRIORITIES**

- GED Tutoring
- Career Preparation Classes
- Coordinate Culturally Diverse Activities

### **EVENTS COORDINATION COMMITTEE - MISSION STATEMENT**

The mission of the Events Coordination Committee is to set up all events and activities. In accordance with the overall strategic direction of STEM, the committee shall aid and assist all Committees with the preparation and setting up of the following: seating arrangements, sound equipment, and other areas of need considered necessary by the event Chairman.

### **COMMITTEE PRIORITIES**

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- Ensure Timeliness

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The mission of the Hispanic Affairs Committee is to help meet the needs of Hispanic participants in order to ensure equal opportunity for success. In accordance with the overall strategic direction of STEM, the committee shall address Hispanic needs through outreach, responsive motivational and inspirational programming efforts, and multiple delivery systems.

### **COMMITTEE PRIORITIES**

- Create Collaborative Partnerships
- Host Bilingual Events
- Coordinate Culturally Diverse Outreach Programming Efforts
- Coordinate Personal Development Workshops and Classes

### **REHABILITATION AFFAIRS COMMITTEE - MISSION STATEMENT**

The mission of the Rehabilitation Affairs Committee is to help meet the rehabilitation needs of participants in order to ensure they are prepared for successful community living. In accordance with the overall strategic direction of STEM, the committee shall address rehabilitation needs through outreach, responsive motivational and career preparation classes, groups and programs, and multiple delivery systems.

## **COMMITTEE PRIORITIES**

- Create Collaborative Partnerships
- Host Mock Job Fairs
- Coordinate Culturally Diverse Outreach Programs
- Coordinate Employability Workshops and Classes



**Exhibit G**

**Re-Entry Work Promised**



October 22, 2018

To whom this may concern:

I am writing this letter of intent on behalf of federal prisoner Chad Marks, 12010-055, who I am committed to hiring upon day one of his release. Chad has been very instrumental with the implementation of our SAVE program at United States Penitentiary Lee, in Jonesville, VA, and Federal Correctional Institution Ray Brook, in Ray Brook New York. Specifically, Chad taught our Leaders Breed Leaders course to federal prisoners and had a major impact on the inmate population at USP Lee and FCI Ray Brook, according to the executive staff members who supervised his classes.

It is our hope that Chad's redemption story and personal commitment to change can provide restorative hope for others who are in similar situations within the criminal justice system.

I have attached the job description for the position I would like to offer Chad.

If you have any questions, please feel free to contact me at any time.

Thanks in advance for your time and consideration.

Respectfully Submitted,

Cedric Dean, SAVE President

//s//

704-492-5509

[www.AboutSave.org](http://www.AboutSave.org)





## **SAVE Reentry Specialist**

### **Who We Are**

Safeguard Atone Validate Educate is a 501(c)3 non-profit organization, formed exclusively for charitable and educational purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code including, but not limited to, advancing education, relief of the poor, distressed, and underprivileged, and lessening the burdens of government. Safeguard Atone Validate Educate's primary function is to develop, organize, and/or streamline services in conjunction with government agencies, service providers, non-profits, faith-based organizations, community partners, colleges and universities, and formerly incarcerated individuals that desire to establish or improve reentry processes to reduce recidivism across the United States. Safeguard Atone Validate Educate will actively examine and develop solutions to overcome the current reentry indicator barriers that greatly impact successful transitioning from incarceration to free persons. Safeguard Atone Validate Educate will operate under and share best practices, which means that it will remain in a continuous learning mode.

### **Job Summary**

This position is responsible for the successful implementation of any reentry related software a County or State agency retains the Foundation to project manage. This encompasses training justice agencies and community partners on the setup and maintenance of the software. Additionally, this position is responsible for facilitating activities with local stakeholders, the state agency responsible for reentry, and with the returning citizen population. To accomplish this, the SAVE Reentry Specialist must utilize their topical knowledge and structure of reentry processes nationally, at the state and county level and they must utilize a technical knowledge on the installation, monitoring, and customization of the system(s). 70-75% of the services will be provided in the community.

### **Core Functions and Knowledge Areas**

- Working knowledge of case management/discharge planning as it relates to reentry activities
- Working knowledge of programming principles, standards, and best practices at the Federal, State, and Local levels
- Consulting and collaborating with community members/groups, including outreach/engagement

### **SAVE Reentry Specialist**

- Assessing/evaluating and documenting community needs to develop configurations that support business processes
- Defines and executes on delivery and implementation plans
- Provide training and end-user support during and after the implementation process. Assist with preparing user manuals/documentation

Safeguard Atone Validate Educate, 3108 Prosperity Church Road, Unit C, Charlotte, NC 28269,  
704-492-5509  
[www.AboutSave.org](http://www.AboutSave.org)





- Managing complex issues with multiple partners that may include political consideration
- Ensure that service standards and quality measures of agency/community/client needs and demands are established, implemented and monitored
- Establishing and maintaining positive relationships with agencies and community partners

### **Qualifications and Skills**

- Ability to work effectively under pressure of deadlines, and within budget constraints
- Ability to work in a team environment, while also working independently
- Demonstrated capacity to handle multiple tasks, projects and meet deadlines
- Excellent public relations, community organizing, negotiation, mediation, conflict management and meeting facilitation skills
- Knowledge of community resources and their interactions with the incarcerated/formerly incarcerated population pre- and post- release
- Demonstrated ability to maintain confidentiality with sensitive information
- Demonstrate the ability to inspire community participation and build coalitions
- Must have strong administrative and organizational skills including budget development, management, and reporting

### **Additional Requirements**

- Knowledge of the criminal justice system
- Ability to travel up to 20% of the time nationally (conferences, strategic planning sessions, etc).
- Ability to read, analyze, and interpret general business periodicals, professional journals, technical procedures, and regulatory standards.
- Ability to effectively present information and respond to questions from Managers, Clients, and the general public
- Ability to define problems, collect and manage data, establish facts, and draw valid conclusions
- Ability to develop and maintain an effective work relationship that is sensitive to the individual differences and diverse population
- Advise internal/external customers on program issues
- Experience working with reenter/ex-offender population highly desired
- Must have solid writing skills to satisfy project documentation requirements



## **SAVE Reentry Specialist**

- Flexible and non-structured work hours
- Experience working with Microsoft Office

### **Education/Experience**

- BS in Social Work, Business, Criminology, Corrections, Law, Psychology, Information Technology, Human Rights, Nonprofit Management, Public Administration etc. (not required if formerly incarcerated)
- 3 – 5 years of community outreach or reentry experience
- Demonstrate excellent verbal and written communication skills
- Knowledge of the criminal justice system



November 5<sup>th</sup> 2018

To Whom This May Concern:

We at Youst Commercial Coatings are writing this letter in regards to Chad Marks. With the hopes that he will receive an early release we will be more than happy to interview Chad for a position here at Youst Commercial Coatings upon his release. We are a family based company that is more than willing to give chances to those eager to work and we know Chad is. We will interview him, and if hired he will not only have a position here but also many benefits as well such as life insurance, 401k and Health Insurance just to name a few. Please take this information into consideration as you consider Chad for an early release.

Thank you, please feel free to contact me with any questions.

Samantha Pratt

Youst Commercial Coatings

Office Manager/Human Resources

1347 Harris Rd

Webster NY, 14580

(585)217-9595



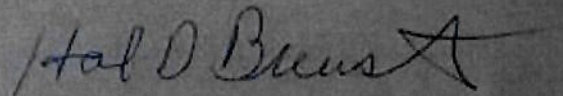
November 13, 2018

To whom it may concern,

I would like to take this opportunity to inform you Mr. Chad Marks will have employment with my company upon his release. He will be brought on board as a Laborer. I believe he will be an excellent addition and we look forward to him joining our team.

Please feel free to contact our office if you have any questions. Thank you.

Sincerely,

A handwritten signature in cursive script, appearing to read "Hal D. Brewster", followed by a large, stylized flourish or star-like mark.

Hal Brewster

Chad Marks - # 12010-055  
FAC LEXINGTON  
FEDERAL MEDICAL CENTER  
P.O. BOX 14500  
LEXINGTON, KY 40512

FEB 13 2019

U.S. District Court Clerk  
Western District of New York  
100 State Street, 2nd Floor  
Rochester, New York 14614

